

WELWYN HATFIELD BOROUGH COUNCIL
CABINET PLANNING AND PARKING PANEL – 15 AUGUST 2024
REPORT OF THE ASSISTANT DIRECTOR (PLANNING)

ENFIELD LOCAL PLAN 2019 – 2041 STATEMENT OF COMMON GROUND

1 Executive Summary

- 1.1 The London Borough of Enfield (LBE) is in the process of producing a new Enfield Local Plan (ELP). Consultation on the Regulation 19 pre-submission version of the ELP concluded on 20 May 2024.
- 1.2 In its response to the most recent consultation, the Council set out several issues of concern. The issues raised were consistent with those identified by the Council to the preceding Regulation 18 consultation and reported to CPPP in August 2021.
- 1.3 The response was submitted by the Assistant Director (Planning) under delegated powers to the respond to consultations by local authorities, in consultation with the relevant Executive Member.
- 1.4 LBE have subsequently sought to prepare a Statement of Common Ground (SoCG) to set out areas of common agreement between the LBE and Neighbouring Authorities, as well as any areas of disagreement.
- 1.5 This item is presented to CPPP because the Constitution does not currently include delegated authority to enter into Statements of Common Ground with other parties, other than in the context of a planning application appeal.

2 Recommendation(s)

- 2.1 That the Cabinet Parking and Planning Panel recommends to Cabinet that the Assistant Director (Planning) be given delegated authority to agree a Statement of Common Ground with the London Borough of Enfield that reflects the Council's response to the Regulation 19 consultation. If unanimously agreed by the Panel, for the decision to be taken by the executive member using their delegated powers under paragraph 18.1(b) of the Cabinet procedure rules.

3 Explanation

- 3.1 At a meeting of Cabinet Parking and Planning Panel (CPPP) in August 2021 the Panel considered a draft response to the Regulation 18 Enfield Local Plan (ELP). The response identified the following issues:
 - a) That the Spatial Strategy should reflect the Enfield housing requirement in full.
 - b) That the masterplanned approach to development at Crews Hill is welcomed although proximity of this proposed development with the settlement of Cuffley was a concern.

- c) Observing that the Enfield Green Belt and Metropolitan Open Land Study (June 2021) identifies that to facilitate the development at Crews Hill requires release of land resulting in High and Very High Harm to the Green Belt.
 - d) Welcoming engagement with the Council, under the Duty to Cooperate, to understand the infrastructure implications arising from your proposals and to ensure they are appropriately mitigated.
- 3.2 Earlier this year Enfield published their Regulation 19 ELP, the plan which they intend to submit to the Secretary of State and for examination in public. At this advanced stage representations are sought on the plan's soundness and legal compliance with all responses to be provided to the appointed Local Plan Inspector.
- 3.3 The ELP overarching spatial strategy is to provide for sustainable growth with supporting infrastructure while facilitating nature recovery and improvements to green and blue spaces and access to them. Provision will be made for at least a minimum of 34,000 new homes up to 2041 with a large proportion of the Borough's future development needs provided by the four main placemaking areas of Meridian Water, Southbury, Crews Hill and Chase Park).
- 3.4 The ELP target is comprised of the London Plan requirement of 1,246 homes per year up to 2029 and the target rolled forward to 2039 (equating to 24,920 in the plan period). The rolling forward accounts for a third (10 years) of the 15-year plan period, assuming a 2025 adoption, as set out in Enfield's Local Development Scheme (LDS) There is a concern that rolling forward the London Plan requirement will result in an undersupply of housing as this target is below Enfield's requirement set out in the government's Standard Methodology. However, this is the approach advocated by the adopted London Plan.
- 3.5 Any undersupply would result in an increase in London's growing backlog of unmet housing need. It would also drive increased levels of out-migration to surrounding areas. Migration is already a large component of Welwyn Hatfield's Full Objectively Assessed Housing Need (FOAHN). As such a lack of supply in the capital will place greater pressure on Welwyn Hatfield as households seek to meet their accommodation needs outside of London.
- 3.6 A response to the ELP Regulation 19 consultation was submitted by the Assistant Director (Planning) using delegated powers in consultation with the Executive Member. A copy of this response is set out in Appendix A. The response did not identify the plan as unsound or not legally compliant, rather it set out concerns to be raised for consideration by Inspector.
- 3.7 Following the consultation, LBE have sought to agree a Statement of Common Ground (SoCG) with its Neighbouring Authorities. The statement will seek to set out areas of agreement and any areas of disagreement in relation to the emerging Enfield Local Plan. The SoCG does not propose to replace a Neighbouring Authorities Regulation 19 representation, rather it will seek to summarise it and set out where there is agreement / disagreement. The purpose of the SoCG is to assist the Local Plan Inspector and narrow areas of concern. The sections from the draft SoCG that relate to Welwyn Hatfield is set out in Appendix B.

- 3.8 The SoCG is set in the context of Local Planning Authorities having a duty to Cooperate to engage constructively, actively and on an ongoing basis in relation to cross-boundary issues.
- 3.9 Although delegated powers relating to Planning can be exercised by the Assistant Director (Planning), including responding to consultations concerning development proposals by statutory bodies, local authorities, government departments, the Crown, etc, in consultation with the relevant Executive Member, this does not include entering into Statements of Common Ground.

Implications

4 Equalities and Diversity

- 4.1 The report does not propose changes to existing Welwyn Hatfield Borough Council service-related policies or the development of new service-related policies. Accordingly, an Equalities Impact Assessment has not been completed.

5 Link to Corporate Priorities

- 5.1 The subject of this report is linked to all the Council's recently agreed Corporate Priorities in the Council's Corporate Plan 2024-2026 with a particular focus on "Homes to be proud of", to plan for current and future housing needs and to "Enable an Economy that delivers for Everyone" – sustainable growth. Responding to other authorities' consultations helps this Council to meet these priorities effectively.

6 Legal Implications

- 6.1 There are no direct legal implications, for this Council, associated with this report. However, it should be noted that the Duty to Cooperate is a legal requirement, which is taken into account in the examination of Local Plans. Public bodies have a duty under the Planning and Compulsory Purchase Act 2004, as amended by the Localism Act 2011, to cooperate on the preparation of planning documents so far as they relate to a strategic matter (the Duty to Cooperate). Strategic matters are defined as those that would have a significant impact on at least two planning areas.

7 Financial Implications

- 7.1 There are no financial implications arising directly from this report.

8 Policy Implications

- 8.1 This paper considers the issues of a neighbouring authority's Local Plan on the Borough. Whilst it does not have any direct policy implications for WHBC, development in adjoining areas can impact on the demand for services within WHBC.

9 Risk Implications

- 9.1 There are no risk management implications arising directly in relation to this report. Responding to neighbouring authority's consultations ensures that potential areas of concern, which could have both direct and indirect implications for Welwyn Hatfield, are identified and highlighted as appropriate.

10 Other Implications

- 10.1 Climate Change: No climate change implications have been identified resulting from this report. Although clearly proposals for more development will have an impact on climate change. These have been assessed as part of the sustainability appraisal accompanying the Enfield Local Plan.
- 10.2 Human Resources Implications: There are no human resources implications associated with this report.
- 10.3 Health and Wellbeing Implications: There are direct no health and wellbeing implications associated with this report.
- 10.4 Communications and Engagement Implications: There are no communication and engagement issues associated with this report.

Alternative options considered and reasons for their rejection (if any):

- 10.5 None. It is considered in the interests of the Borough Council as Local Planning Authority to respond to the public consultation as a statutory consultee.

11 BACKGROUND

Papers Used to Inform the Decision

- 11.1 Final Draft Enfield Local Plan Consultation:
<https://www.enfield.gov.uk/services/planning/new-enfield-local-plan>

12 DETAILS OF ANY MEMBERS OR OFFICERS WHO HAVE DECLARED AN INTEREST IN THIS MATTER AND NATURE OF ANY SUCH INTEREST AND ANY DISPENSATIONS GRANTED

- 12.1 N/A

13 ADDITIONAL CONFIDENTIAL OR EXEMPT INFORMATION CONSIDERED

- 13.1 None

Appendices

- Appendix A Enfield Local Plan Regulation 19 consultation response
- Appendix B Draft text relating to Welwyn Hatfield in the Enfield SoCG

<p>Spatial Strategy</p>	<p>The use of the London Plan requirement of 1,246 homes per year would result in an undersupply of homes to meet Enfield’s Housing Need. Using the “Standard Method” to calculate housing need results in a requirement for some 64,789 homes in Enfield for the period 2021-2041.¹</p> <p>Any undersupply would increase London’s growing backlog of unmet housing need. We note the significant increase in proposed housing numbers against the 2021 Regulation 18 draft Local Plan and a significant “step” in delivery is proposed towards the end of the Plan period, however, this would still leave an undersupply in the earlier years of the Plan. Such an undersupply of homes would likely drive increased levels of out-migration to surrounding areas.</p> <p>Migration is already a large component of Welwyn Hatfield’s Full Objectively Assessed Housing Need (FOAHN). As such, a lack of supply in the capital will place greater pressure on areas such as Welwyn Hatfield that form part of the wider regional housing market, as households seek to meet their accommodation needs outside of London. Welwyn Hatfield has already released substantial areas of land from the Green Belt to meet the need for housing arising in part from current levels of out-migration from London. However, the Council recognises the constraints impacting Enfield’s ability to meet its housing requirement in full, including the presence of nationally and internationally significant nature conservation sites (including the Epping Forest Special Area of Conservation), and 40% of the land being designated as green belt. The lower housing figure is therefore considered to be justified.</p>
<p>Strategic Policy PL11– Crews Hill</p>	<p>The Policy for the area (PL11) refers to a comprehensive masterplan (in the form of an SPD), and that development must be brought forward in accordance with a planned and coordinated approach for this area as set out in adopted and emerging SPD. The master-planned approach is supported but we have concerns regarding the proximity of this proposed development to the settlement of Cuffley. The proposal at Crews Hill is the closest of the strategic development sites to Welwyn Hatfield, specifically the Parish of Northaw and Cuffley. The current gap between the settlements is approximately 3.5km. From the indicative location of development on the strategy diagram, it is estimated the gap would reduce to 1.5km.</p> <p>The proposed allocation PL11 Land at Crews Hill shows a ‘place-making’ area extending up to the M25 and the Welwyn Hatfield borough boundary. An indicative location for housing-led development is shown within the place-making area.</p> <p>WHBC remains concerned about the level of harm to the Green Belt arising from this proposed development, in particular the narrowing of the gap with the settlement of Cuffley. WHBC notes the comments by the Greater London Authority (GLA) in their response to the Regulation 18 consultation and reference to the NPPF 2023 and London PPlan 2021 regarding Green Belt boundaries only being altered where exceptional circumstances are fully evidenced and justified.</p>

¹ [Spatial Strategy and Overall Approach Topic Paper \(enfield.gov.uk\)](https://enfield.gov.uk/spatial-strategy-and-overall-approach-topic-paper)

	<p>WHBC observes that the Enfield's Green Belt and Metropolitan Open Land Assessment 2021² identifies the release of land at Crews Hill (LP9_ext) as resulting in Very High Harm to the green belt.</p> <p>The Welwyn Hatfield Green Belt Study 2018³ in assessing the wider green belt, identifies land to the west and east of Cuffley as "open Land forming a distinctive urban edge". This parcel of land, immediately south of Cuffley and north of the Crews Hill site is identified as making a partial contribution to Green Belt Purpose 2 (Prevent Neighbouring Towns from Merging) and a significant contribution to Purpose 3 (Assist in Safeguarding the Countryside from Encroachment). The Green Belt study concludes that none of Welwyn Hatfield's green belt contributes to Purpose 1 Check the Unrestricted Sprawl of Large Built-up areas.</p> <p><i>"London is separated from Welwyn Hatfield by Green Belt land in the London Borough of Enfield and Hertsmere District. The M25 forms a clear feature separating the urban edge of Enfield from Welwyn Hatfield, and land both to the south and north of the motorway separates the Borough from the metropolitan edge at Barnet".</i></p> <p>Enfield's Infrastructure Delivery Plan (IDP)⁴ identifies the different types of infrastructure that will be required to meet future growth needs of the borough and outlines the strategies for their delivery and phasing to support new development. The IDP is designed as a living document which will be updated regularly as new information and evidence become available. To effectively address the infrastructure implications arising from the Local Plan proposals, it is essential Enfield engages with neighbouring local planning and highway authorities. This engagement falls under the Duty to Cooperate framework. By doing so, any potential impacts can be identified and appropriately mitigated.</p> <p>These need to include the impact on the demand for services within WHBC arising from the development and the impact on traffic and transport.</p>
	<p>The Council notes the publication of the Draft Enfield Local Plan Submission version and requests that we be kept informed as the plan progresses. Welwyn Hatfield continues to be willing to constructively engage with Enfield Council as part of the duty to cooperate arrangements for both the Welwyn Hatfield and Enfield Local Plan respectively and welcomes discussions on the matters raised.</p>

² [Green Belt and MOL Assessment 2021-page 92](#)

³ [Welwyn Hatfield Green Belt Study \(welhat.gov.uk\)](http://welhat.gov.uk)

⁴ [Evidence base | Enfield Council](#)

Welwyn Hatfield Local Plan Response

- Welwyn Hatfield are concerned that the housing requirement for the Borough will contribute towards a general undersupply of homes set out within the adopted London Plan for the GLA.
- The master-planned approach is supported but the Council has concerns regarding the proximity of this proposed development to the settlement of Cuffley.
- The current gap between the settlements is approximately 3.5km. From the indicative location of development on the strategy diagram, it is estimated the gap would reduce to 1.5km.
- The authority remain concerned about the level of harm to the Green Belt arising from this proposed development, in particular the narrowing of the gap with the settlement of Cuffley.
- The authority note that the Enfield Green Belt and Metropolitan Open Land Assessment 2021⁵ identifies the release of land at Crews Hill (LP9_ext) as resulting in Very High Harm to the green belt.
- The Welwyn Hatfield Green Belt Study 2018⁶ in assessing the wider green belt, identifies land to the west and east of Cuffley as “open Land forming a distinctive urban edge”. This parcel of land, immediately south of Cuffley and north of the Crews Hill site is identified as making a partial contribution to Green Belt Purpose 2.
- To effectively address the infrastructure implications arising from the Local Plan proposals, it is essential Enfield engages with neighbouring local planning and highway authorities. This should include the impact on the demand for services within Waltham Forest arising from the development (including Crews Hill) and the impact on traffic and transport.
- The authority seeks assurances that the development proposed in the Enfield Local Plan has robustly considered the impact on the highway network within Welwyn Hatfield and that has appropriate mitigation measure and sources of funding identified for required works.
- The authority notes the publication of the Draft Enfield Local Plan Submission version and requests that they be kept informed as the plan progresses.

Areas Enfield are seeking agreement on

- That the Spatial Strategy is an appropriate strategy in delivering sustainable development over the plan period.
- That Enfield can seek to deliver it’s housing and employment requirements within the boundaries of the Borough.
- That parties agree to continue to work together collaboratively on the Strategic Matters of the emerging Enfield Local Plan.
- Neighbouring Authorities and LBE agree that the emerging Local Plan adequately makes provision for habitat regulations and potential impacts on the environment within the borough subject to having due regard to any implications arising from R (on the application of Finch on behalf of the Weald Action Group) (Appellant) v Surrey County Council and others (Respondents) (2024).

⁵ [Green Belt and MOL Assessment 2021-page 92](#)

⁶ [Welwyn Hatfield Green Belt Study \(welhat.gov.uk\)](#)