



**FURTHER REPRESENTATIONS TO THE LONDON BOROUGH
OF ENFIELD DEVELOPMENT MANAGEMENT DOCUMENT BY
LEE VALLEY REGIONAL PARK AUTHORITY (REF 23)**

**RELATING TO STATEMENT OF COMMON/ UNCOMMON
GROUND AND MATTER 7 QUESTION 1**

**Stephen Wilkinson
Head of Planning and Strategic Partnerships
Lee Valley Regional Park Authority**

Statement of Common/Uncommon Ground

- 1.0 Representatives from the Lee Valley Regional Park Authority (the Authority) and the Council met on the 6th March to discuss the Authority's representations to the Development Management Document as set out in the letter dated 26th September 2013. A copy of the meeting note is attached at Appendix A.
- 1.1 Both parties agreed to the preparation of a Statement of Common and Uncommon Ground to cover all points raised by the Authority's representations. This would include further detail in relation to Question 3 as raised by the Inspector under Matter 7 'Green Infrastructure and Green Belt'. A first draft of the statement is currently being prepared by the Council. It is anticipated that a final version will be agreed well in advance of the start of the Examination on 23 April 2014.

Matter 7: Green Infrastructure and Green Belt Question 1 Policy DMD74 Playing Pitches

- 2.0 The Authority is concerned that amended Policy DMD74, bullet point 4. creates uncertainty in respect of future development of a five-a-side football complex at Pickett's Lock, a Major Developed Site in the Green Belt. In its original representation the Authority proposed additional justification and guidance on implementation text could be added to remove this uncertainty.
- 2.1 Pickett's Lock is a well-established leisure venue and sporting site within the Regional Park. It is also identified by Policy DMD89 as a Major Developed Site in the Green Belt. The Authority with the Council jointly commissioned consultants to prepare an outline masterplan, Picketts Lock Scenarios Report (December 2011) for the future of the site. It was agreed by the Authority that the 'medium level of investment' would be pursued as the basis for its future development options.
- 2.2 The Park Development Framework Area Proposals for Pickett's Lock summarise the components of the preferred option. These Proposals were adopted in April 2013 (please refer to the Authority's original submission letter dated 26 September 2013), following public consultation. These include inter alia "5-A-side football" (Proposal 4.A.4). By reason of section 14 of the Lee Valley Regional Park Act 1966 these proposals now form part of the local planning authority's local plan, (please refer to Appendix B). The London Borough of Enfield responded to the consultation and stated that "the principle of developing Picketts Lock as an area for the development of additional

sporting and recreational facilities is supported by Enfield's Core Strategy". Please refer to the separate letter (Appendix C) included with this statement dated 27th July 2012 from the London Borough of Enfield for their full response.

- 2.3 The agreed outline masterplan and DMD Policy designation may be sufficient to provide the 'exceptional circumstances' and allow a successful case to be made for artificial floodlighting at Pickett's Lock despite its location within a more urban area. However the degree of ambiguity is unhelpful and needs to be resolved by clearer drafting.

Suggested amendment *in italics* to DMD74

Playing Pitches

4. Applications for artificial pitches that incorporate floodlighting on Metropolitan Open Land in the Green Belt will be refused unless justified through exceptional circumstances. ***These 'exceptional circumstances' may be defined not exclusively as the inclusion of such proposals as part of an adopted masterplan.***

- 2.4 The effect of this suggested change is to maintain the two tier approach advocated by the Council throughout its adopted core strategy and within the draft DMD. This aims to secure the protection of the green belt whilst recognising the special circumstances of major developed sites in the green belt.

LIST OF APPENICES

- A MEETING NOTE 6 MARCH**
- B STATUTORY BASIS OF THE AUTHORITY'S REPRESENTATION**
- C LETTER DATED 27 JULY 2012 FROM LONDON BOROUGH OF ENFIELD**

APPENDIX A

Enfield DMD Examination & LVRPA Representations: Matters to be covered in a Statement of Common Ground

Present

Neeru Kareer LB Enfield
Stephen Wilkinson LVRPA
Claire Martin LVRPA

Discussion/Action Points

1. Picketts Lock designation as a 'major developed site' in the Green Belt.

Although changes have been made to policy DMD89 regarding previously developed sites elsewhere in the Green Belt, the 'two tier approach' has been retained; there is a shared aspiration between the Council and LVRPA for leisure related redevelopment of Picketts Lock. SW raised the need for a definition of Major Developed Sites to be included in the Glossary, especially given the lack of guidance on Green Belt in the NPPF. NK agreed this would be useful and agreed to take the recommendation away for the Council's consideration as a minor change.

2. NK stated that Enfield has not undertaken any public consultation on the Pickett's Lock brief and it has not been formally recognised by the Council. SW stated that the Authority adopted proposals following public consultation for Picketts Lock based on its adopted masterplan. LB Enfield did not object. These are included at Proposal 4.A.4). SW explained that under the terms of the Park Act 1966 (section 14 (2)) these proposals together with others relating to the Park in Enfield should be included in the DMD or other such local plan document although inclusion does not imply acceptance. NK sought clarity on this, and explained that this may require a legal view.

3. Discussion followed as to which is the most appropriate local plan document for inclusion of Park proposals. NK considered that the AAP may be more appropriate. Work on the Central Leaside AAP is due to recommence soon with a Proposed Submission version to be prepared by September 2014. SW suggested that the DMD would be the most appropriate document as it will be the primary local policy planning document used by staff in development management to determine planning applications. The North East Enfield AAP Proposed Submission version will be issued for consultation after the elections. NK explained that the Council's position was that the DMD is not a site specific allocation document and therefore to include a detailed policy on Picketts Local would be difficult given the nature of the DMD.

4. Other matters

CM explained the Authority's issues relating to Residential Moorings in relation to their impact on the Park (residential use in the Park, impact on other boaters, waterway activities, wildlife and general amenity of Park visitors) and the work undertaken by the C&RT to develop a mooring policy. NK outlined the issues facing the Council over floodlighting of artificial playing pitches in the green Belt or MOL (Policy DMD 74) given that some areas of Green Belt and MOL exist in close proximity to the more urban areas. SW pointed out that LVRP needed assurance that proposals for floodlit artificial pitches at Picketts Lock would be protected in the current draft.

5. To address these issues NK agreed to produce a first draft of a Statement of Common Ground to cover the matters detailed above. SW/CM to then add further detail as per the original representations made last year. The final version of the S of CG will need to be clear as to where matters remain unresolved. Deadline for this work is 14 March.

APPENDIX B

Statutory basis of the Authority's Representation

The Lee Valley Regional Park Authority is a statutory authority created by the Lee Valley Regional Park Act 1966 (the Park Act). It has a statutory responsibility to either provide directly or work with partners to provide facilities for sport, recreation, leisure, entertainment and nature conservation throughout the Park. The Park lies in east London extending northwards from the River Thames to Ware in Hertfordshire and comprises 4,000ha of which 1,600ha are owned and managed by the Authority. It has a political membership comprised of councillors drawn from across London, Hertfordshire and Essex from both Riparian and Non-riparian authorities although the majority of our Members are drawn from the riparian boroughs.

The Park includes a mosaic of award winning facilities and open spaces. These include four Olympic Legacy venues which we own, fund and manage: the White Water Canoe Centre, just north of the M25, the Tennis Centre and the Hockey Centre at Eton Manor and the VeloPark which includes the Velodrome.

The Authority is not a planning authority but it has a range of powers and duties in relation to the statutory planning process. Section 14(1) of the Park Act requires the Authority to prepare a plan setting out proposals for the future management and development of the Regional Park. Riparian planning authorities are under a mandatory obligation to include those parts of the plan affecting their areas within their relevant planning strategies and policies (section 14(2) (a) (although inclusion does not infer that the planning authority necessarily agrees with them (section 14(2) (b)). For the purposes of the Park Act the London Borough of Enfield is a riparian/non-riparian Authority.

The Secretary of State may then call in the application for his/her own determination. Pending that determination the local planning authority should not issue the notice of the grant of planning permission since if the Secretary of State decides to call the matter in for his/her own determination the local planning authority's decision to grant planning permission shall have no effect and if the Secretary of State decides not to call in the decision, the decision of the local planning authority shall only have effect as from the date of notification by the Secretary of State that s/he intends not to call the matter in for his/her determination.

Further, sections 14 (subsections 4-7) of the Park Act requires local planning authorities to consult with the Authority on applications for planning permission which the Authority considers could affect the Park. Section 14 (subsections 8-9) allows the Authority to refer the decisions of the riparian authorities to the Secretary of State if it is considered by the Authority that the decision taken materially conflicts with the proposals of the Authority (the plan) for the development of the Park.

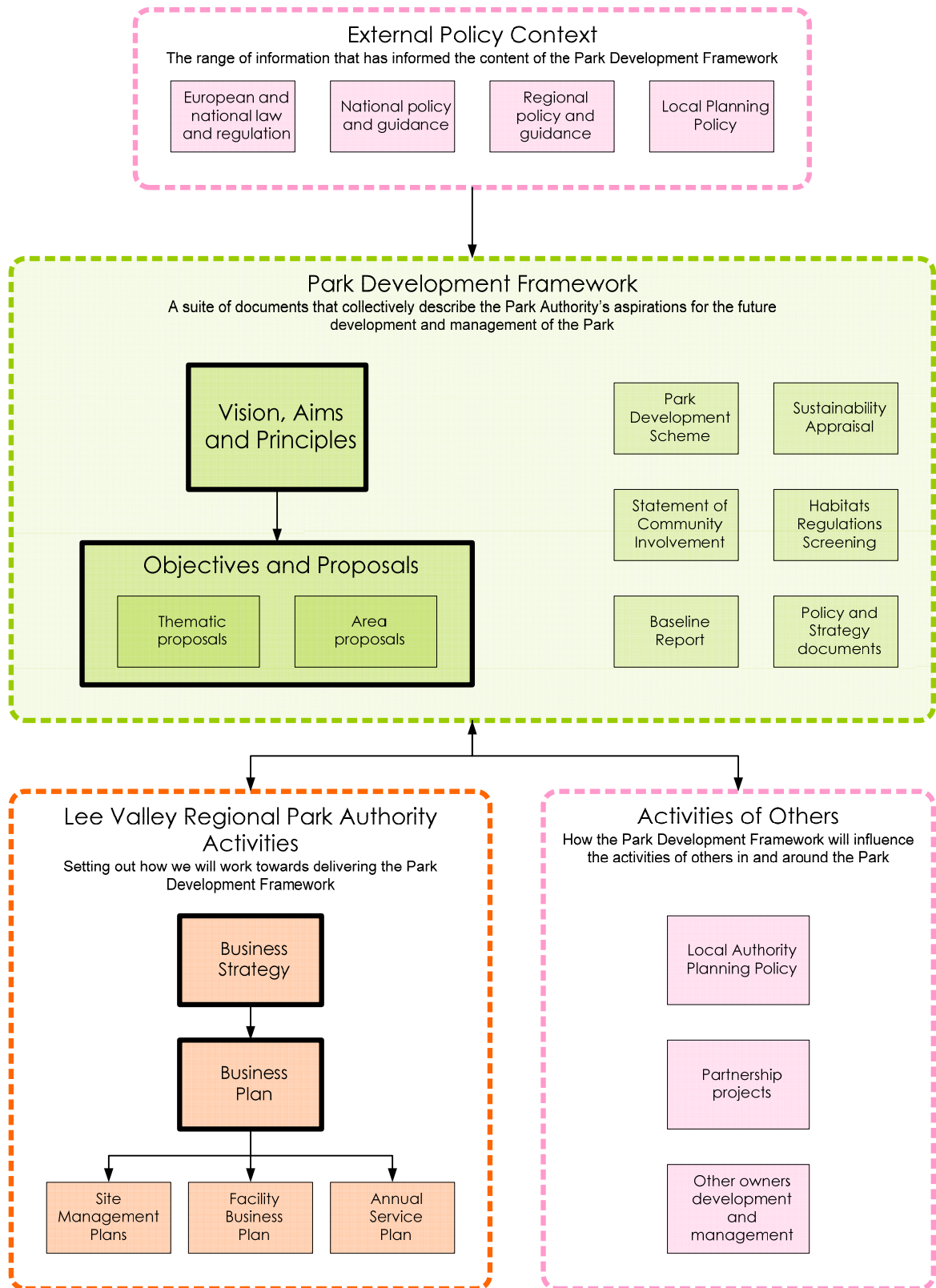
The Authority's Lower Lee Valley Regeneration and Planning Committee received a report into the Proposed Submission draft of the Development Management Document on 19th September 2013. This representation has been made following endorsement by the Authority of the officer report.

The Park Development Framework

The Authority has over the last 40 years produced a range of proposals for the future development and management of the Regional Park. The last adopted Plan of Proposals was the Park Plan (2000). Since 2007 the Authority has been preparing a suite of documents, the Park Development Framework (PDF), which will in due course amend either in part or in its entirety the Park Plan 2000 for the purposes of s.14. The Authority has adopted the Vision, Strategic Aims and Principles (July 2010) and a series of Thematic Proposals (in January 2011) which set out development and management proposals on a broad Park-wide thematic basis.

More recently the Authority has been translating the thematic proposals onto area based maps, in line with Section 14 of the Park Act to provide specific proposals covering the whole Park. This is a phased process with priority being given to areas where significant change within or adjacent to the Park is planned. The Authority has now adopted proposals for Areas 2, 3, 4 and 5 which represents the area of the Park from Hackney Marsh north to Rammey Marsh adjacent to the M25. This covers the Park within the London Boroughs of Enfield, Hackney, Waltham Forest, and Haringey and part of Epping Forest District. These new proposals replace sections 7, (part only) 6, 5 and 4 of Part Two of the Park Plan (2000) and are a formal statement of the Authority's position in respect of development within the Regional Park and can be found here <http://www.leevalleypark.org.uk/go/pdf/>

Proposals for Area 4 - **The Waterlands Banbury Reservoir to Picketts Lock** are relevant to this matter, please refer to the Authority's original representation as set out in the letter dated 26 Sept for further detail.





  Documents formally adopted by Lee Valley Regional Park Authority

FIGURE 1 PDF DEVELOPMENT SCHEME