



STATEMENT OF COMMON GROUND
between
LONDON BOROUGH OF ENFIELD
and
ENVIRONMENT AGENCY
January 2025

1. Introduction

- 1.1 This Statement of Common Ground has been prepared jointly between Lond Borough of Enfield Council (LBE) and the Environment Agency (EA). The EA are responsible for tidal and fluvial flooding across the Borough. The EA's role in the planning system is as a non-statutory consultee as set out in The Town and Country Planning (Development Management Procedure) (England) Order 2015 and in Government Planning Practice Guidance.
- 1.1 In relation to strategic planning matters, section 33A (1) of the Planning and Compulsory Purchase Act 2004 (PCPA 2004) indicates that Local Planning Authorities have a duty to cooperate with bodies (or other persons) within subsection (9) and paragraphs (a), (b) and (c) of subsection (1), in section 33A(1) of the PCPA 2004.
- 1.2 This approach is also a requirement of national planning policy. Paragraph 35 of the National Planning Policy Framework seeks to ensure that the Local Plan is deliverable over the plan period and based on effective joint working on strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground.
- 1.3 The Duty to Cooperate was established in the Localism Act 2011. The Duty to Cooperate requires all Local Planning Authorities (LPAs) to engage constructively, actively and on an ongoing basis in relation to cross-boundary issues.
- 1.4 Both parties are prescribed bodies for the purposes of the Duty to Cooperate.
- 1.5 The purpose of a Statement of Common Ground is to set out the confirmed agreements and disagreements with regard to strategic and cross- boundary issues surrounding the Enfield Local Plan. This is the result of early, meaningful and continuous engagement between the Local Planning Authority and statutory consultees and key stakeholders in the Local Plan process.
- 1.6 This Statement of Common Ground reflects the current position between LBE Council and the EA. It will be updated as and when required.
- 1.7 LBE Council and the EA will continue to meet to discuss strategic planning matters as the Enfield Local Plan progresses to submission and examination. As a minimum, a meeting will take place prior to submission of the Enfield Local Plan for examination
- 1.8 Appendix A provides a full breakdown of EA's response to the Enfield Local Plan Publication Draft consultation and LBE's response to these concerns.

2. Matters

2.1 This SoCG sets out the confirmed points of agreement, or otherwise between the parties with regard to strategic planning matters arising from planning policy proposals in the emerging Enfield Local Plan (2019 – 2041), specifically in relation to:

- Strategic Policy SE1
- DM Policy SE7 – Managing Flood Risk
- DM Policy SE8 – Protection and Improvement of Watercourses
- DM Policy BG4 – Protecting Nature
- DM Policy BG9 – Watercourses
- DM Policy BG12 - Burial and Crematorium spaces
- DM Policy ENV1 – Environmental Protection
- PL3 Edmonton Green
- PL5 Meridian Water
- Site Allocations - Flood Zones
- Site Allocations - Source Protection Zone (SPZ) 1
- Site Allocations - Historic Landfill
- Site Allocations – Cemeteries
- Site Allocations – Proximity to Statutory Main Rivers or Waterbody

2.2 The EA had raised concerns regarding some of the content of the Sequential Test and the Strategic Test Level 1 and Level 2 in relation to the conclusions.

2.3 LBE Council and the EA met on several occasions to discuss their concerns regarding the evidence base and agreed a way forward. It was agreed that LBE Council would review the evidence and provide more detail within a Topic Paper.

3. Areas of Common Ground

3.1 Both parties agree that the Spatial Strategy is an appropriate strategy in delivering sustainable development over the plan period.

3.2 The EA agrees that Strategic Policy SE1 is sound.

3.3 The EA agrees that DM Policy SE7 – Managing Flood Risk is sound.

3.4 The EA agrees that DM Policy SE8 – Protection and Improvement of Watercourses is sound, subject to the recommended additional text being included as a modification to the Policy.

- 3.5 The EA agrees that DM Policy BG4 – Protecting Nature is sound, subject to the recommended additional text being included as a modification to the Policy.
- 3.6 The EA agrees that DM Policy BG9 – Watercourses is sound, subject to the recommended additional text being included as a modification to the Policy.
- 3.7 The EA agrees that DM Policy BG12 - Burial and Crematorium spaces is sound.
- 3.8 The EA agrees that DM Policy ENV1 – Environmental Protection is sound, subject to the recommended additional text being included as a modification to the Policy.
- 3.9 The EA agrees that PL3 Edmonton Green is sound, subject to the recommended additional text being included as a modification to the Policy.
- 3.10 Both parties agree that the Strategic Flood Risk Level 1 produced is proportionate and justified.
- 3.11 Both parties agree that the EA concerns with the Strategic Level 2 Assessment can be addressed through providing an update to the SFRA L2.
- 3.12 EA states the integrated Sequential Test approach needs to be clearer within a separate document which details the Exception Test.
- 3.13 All parties agree to continue to work together collaboratively on the Strategic Matters of the emerging Enfield Local Plan.

4. Outstanding Matters (Areas of Disagreement)

- 4.1 As earlier concerns have now been addressed, there are no outstanding matters of disagreement.

AGREEMENT

Signed on behalf of London Borough of Enfield

Appendix A: A full breakdown of EA's response to the Enfield Local Plan Publication Draft consultation and LBE's response to these concerns.

Policy/Section of Plan	EA Comment	LBE response
<p>Level 2 Strategic Flood Risk Assessment 2023 (L2 SFRA) – prepared by BMT.</p>	<p>The L2 SFRA has been submitted as part of the evidence base for Enfield's draft submission of their local plan. We find that this fails to justify numerous site allocations due to table 5.1 highlighting that several sites have failed the sequential test, and/or the exceptions test. Sites that fail either of these tests should not be allocated as site allocations as per paragraphs 168 and 171 of the National Planning Policy Framework and paragraphs 25 and 33 of the Flood Risk and Coastal Change Planning Practice Guidance. To overcome this issue, we strongly recommend that a new L2 SFRA is submitted based on the available guidance, and that any sites that still fail the sequential and/or exceptions tests are subsequently deleted from the site allocations. Site Reference Numbers. The current L2 SFRA and its appendices have used old reference numbers, and it is unclear whether all new site allocations have been assessed. We strongly recommend that the latest reference numbers are used in an updated L2 SFRA, and that all relevant sites are accounted for.</p>	<p>This has now been addressed through an update to the SFRA L2 assessment.</p>
<p>Other concerns with the L2 SFRA</p>	<p>Modelling</p> <p>The L2 SFRA does not make it clear what modelling has been used and how appropriate it is. It also fails to assess speed of onset, velocity, depth or flooding. We recommend these factors are considered in further detail.</p> <p>Reservoir Data</p> <p>There should be an improved assessment of reservoir data in the L2 SFRA. This includes for development that is proposed downstream of a reservoir to assess whether work is needed to improve the design or maintenance of the reservoir. The L2 SFRA also fails to assess if a development could affect the operation of a reservoir and the potential impact this could have on flood risk.</p> <p>User Guide</p>	<p>This has now been addressed through an update to the SFRA L2 assessment.</p>

Policy/Section of Plan	EA Comment	LBE response
	<p>We strongly recommend that the L2 SFRA is accompanied by a clear user guide. This should include guidance on which maps and sections of the report to refer to in different circumstances.</p>	
<p>Water Resources and Efficiency</p>	<p>We are concerned that the Enfield Regulation 19 submission has not included a water resource and efficiency policy. We note that the current Core Strategy (2010) has policy 21 (Delivering Sustainable Water Supply, Drainage and Sewerage Infrastructure) and Development Management Document (2014) policy 58 (Water Efficiency). We believe that including stand-alone policies with the latest data and advice would be beneficial to Enfield and the commitment to sustainability. We suggest a policy is inserted which requires new residential buildings to achieve water efficiency levels of at least 105 litres of potable water per head per day for inside use (excluding allowance of up to five litres for external water consumption). We also strongly recommend that this policy requires commercial and/or major developments to achieve a BREEAM rating of 'excellent' in the water efficiency category (WAT 01) (or equivalent) in line with part C2 of Policy SI 5 in the London Plan (page 356). In the absence of a standalone policy, we note that the introduction states the LB Enfield Local Plan "should be in line with the London Plan" (paragraph 1.4, page 7) and that Strategic Policy SS2 (Making Good Places) states "pending the preparation of a Borough-wide Design Guide, proposals for development will be considered on the basis of good growth principles and policies included in this Plan and the London Plan". We acknowledge that this could be the reason why a water resources and efficiency policy is omitted from the Regulation 19 submission, and in that case, we strongly encourage that there is a more explicit statement that reads "with regard to water resources and efficiency, applicants should refer to policy SL 5 (page 356) of the London Plan as per strategic policy SS2 (Making Good Places)". By mandating that both residential and non-residential developments meet these water efficiency targets, the London Borough of Enfield will ensure that the local plan keeps all new developments focused on improving the water resource situation. Further, when the design guide is prepared, we strongly encourage that you consult the Environment Agency on this.</p>	<p>The Council are now proposing a modification to the Local Plan to include a new policy in relation to Water Efficiency and resources.</p>

Policy/Section of Plan	EA Comment	LBE response
Strategic Policy SE1	We support this policy and are pleased to see that the wording of point 7 refers to ‘all sources of flooding’. We note that Natural Flood Management (NFM) could be beneficial to include within point 12 of this policy alongside tree planting, because NFM can increase resilience to flood risk while supporting biodiversity	n/a
DM Policy SE7 – Managing Flood Risk	We support this policy. We recommend that the Environment Agency is mentioned when it comes to early engagement and encourage applicants to approach us for pre-app advice for managing flood risk. We strongly support the inclusion of an 8m set back in point 6 of this policy	n/a
DM Policy SE8 – Protection and Improvement of Watercourses	We support this policy. However, we recommend that the supporting text includes some explanation of the importance of protecting watercourses for water quality, habitat availability, and connectivity in ecological features. We also strongly recommend that paragraph 1.a. reiterates the requirement and importance for an 8m setback or refers users back to Policy SE7.	Agreed to be dealt with via proposed modifications.
DM Policy BG4 – Protecting Nature	We are supportive of this policy and pleased to see a biodiversity net gain requirement of 20%. We strongly recommend that this section highlights the need for applicants to consider the watercourse module of the statutory biodiversity metric for all application boundaries within 10m from the top of the banks of watercourses, within 5m of ditches, and for culverts that run through a sites red-line boundary	Agreed to be dealt with via proposed modifications
DM Policy BG9 – Watercourses	Paragraph 1b. We strongly support the reiteration of the requirement for a set back, however, we recommend this is strengthened to state ‘typically a minimum of 8 metres’. Paragraph 1d. we support that this paragraph requires development to “provide ecological and biodiversity enhancements to water spaces”. We recommend the supporting text further defines water spaces to include the channel, floodplain and riparian zones.	Agreed to be dealt with via proposed modifications
DM Policy BG12 - Burial and Crematorium spaces	It is positive to see that Paragraph 6.59 (page 175) refers users to the Environment Agency’s approach to groundwater protection. We recommend that this is further updated to refer users to Cemeteries and Burials: Groundwater Risk Assessments (October 2023) and Protecting Groundwater from Human Burials. We also note that	Agreed to be dealt with via proposed modifications. However, links and hyperlinks should not

Policy/Section of Plan	EA Comment	LBE response
	<p>footnote 36 does not appear to exist, we recommend that the link is added, or the guidance is hyperlinked</p>	<p>be included within the Local Plan.</p>
<p>DM Policy ENV1 – Environmental Protection</p>	<p>We appreciate the stipulation that ‘New developments that have an adverse impact on water quality, which includes waterways, identified Source Protection Zones (SPZ) or Aquifers, resulting in an unacceptable risk to the quality of the water catchment, groundwater or surface water will not be permitted’ under policy ENV1 (Local Environmental Protection).</p> <p>Paragraph 14.22</p> <p>We recommend that a hyperlink or footnote is included to the Environment Agency’s approach to groundwater protection. However, it is positive to see that it is referred to in this paragraph.</p> <p>Paragraph 14.24</p> <p>We recommend that a further bullet point is added to paragraph 14.24 (page 336) that states “for development sites where deep piled foundations are proposed then a Foundation Works Risk Assessment (FWRA) will be required to ensure that the risks to groundwater are understood and mitigated.”</p>	<p>Agreed to be dealt with via proposed modifications. However, links and hyperlinks should not be included within the Local Plan.</p>
<p>PL3 Edmonton Green</p>	<p>Point 10 currently states “should explore the following further infrastructure improvements where feasible”. We recommend this is strengthened to “must explore...”. We also recommend that ‘where feasible’ is removed from the associated text.</p>	<p>For consistency with the structure and clarity of the policies in the Local Plan, ‘should’ provides more flexibility and positivity in relation to the provisions of National Planning Policy.</p>

Policy/Section of Plan	EA Comment	LBE response
PL5 Meridian Water	<p>We recommend that the 'Green Infrastructure' policy point is expanded to 'Green and Blue Infrastructure' to acknowledge the high number of watercourses within the site and their significance for the Meridian Water project. Further to this, we strongly recommend a standalone policy point on Flood Risk to acknowledge the complex flood risk issues at Meridian Water.</p> <p>We suggest that there is also a specific policy point for groundwater and land quality, we suggest that this is worded "development proposals in Meridian Water should further remediate historic contamination to improve soil and groundwater quality enhancing the environment and protecting and restoring groundwater resources".</p> <p>Point 8 (page 65-66) We support the inclusion of "should maximise the experience, activation and ecological potential of the existing waterways through naturalisation and ecological enhancements. Development should contribute towards river restoration works, including naturalisation of the riverbanks" and strongly recommend that the place policies which have rivers also incorporate this wording (PL3, PL4, PL7, PL8, PL9, PL10 and PL11).</p> <p>We also recommend that point 8 makes a clear distinction between fluvial and surface water flood risk.</p> <p>We are pleased to see that paragraph 3.68 (page 66) includes a commitment to the masterplan approach to ensure consistency across Meridian Water, which will be required for comprehensive infrastructure and flood risk planning.</p>	Meridian Water has now received planning consent.
Site Allocations - Flood Zones	Table 1 within the EA's Regulation 19 response.	Thank you for this information. The flood zones for each site have been reflected within the

Policy/Section of Plan	EA Comment	LBE response
		Site Assessment process and within the SFRA/Sequential Test.
Site Allocations - Source Protection Zone (SPZ) 1	<p>Areas in SPZ1 are the catchment areas for sources of potable, high quality water supplies usable for human consumption. As such, sites within SPZ1 are particularly sensitive with respect to groundwater. Additional constraints will be placed on development proposals in these areas. With respect to the Environment Agency's Approach to Groundwater Protection, the following position statements would apply:</p> <p>D1- General principles-all storage facilities D2- Underground Storage (and associated pipework) D3- Subwater table storage</p> <p>G2- Sewage Effluent Discharges within SPZ1 G4- Trade effluent and other discharges within SPZ1 G8- Sewage pipework G13- Sustainable Drainage systems N7- Hydrogeological risk assessment N8- Physical disturbance of aquifers in SPZ1</p> <p>Please note that we would recommend planning conditions for any piled foundation proposals for allocated sites within SPZ1. The use of piled foundations would require a robust supporting Foundation Works Risk Assessment (FWRA) demonstrating that they are appropriate at the particular location and would not result in a deterioration of groundwater quality. Without such a risk assessment we would object to the use of piled foundations.</p> <p>Our records show the following sites are either partly or wholly within SPZ 1.</p> <ul style="list-style-type: none"> • SA1.2 Enfield Town station and former enfield arms • SA1.5 St Anne's Catholic School • SA5.1 Meridian Water Phase 1 • SA5.2 Meridian Water Phase 2 	Thank you for this information. The constraints related to the SPA for each site have been reflected within the Site Assessment process.

Policy/Section of Plan	EA Comment	LBE response
	<ul style="list-style-type: none"> • SA5.3 Former Ikea , Meridian Water • SA5.4 Tesco Extra, Meridian Water • SA5.5 Meridian 13 • SA5.6 Meridian East (Harbet Road) • SA8.1 Morrisons, 19 Alderman's Hill • SA8.2 Lodge Drive Car Park • SA8.4 Travis Perkins, Palmers Green • SA URB.07 Sainsburys Green Lanes • SA URB.10 Alma Estate • SA URB.23 Stoneleigh Avenue Estate • SA URB.26 Fords Grove Car Park • SA RUR.01 Land Opposite Enfield Crematorium • SA5.7 Ravenside Retail Park • SA5.8 Kenninghall Metals and Waste • SA URB.30 Montagu Industrial Estate • SA URB.31 Snowbirds Food Extension • SA RUR.03 Land W of Ramney Marsh • SA RUR.05 Land at Innova Park 	
Site Allocations - Historic Landfill	<p>Development on historic landfills may require an Environmental Permit for the reuse of site material and/or the deposition of waste for recovery activities. Developers for these sites would need to make enquires regarding potential requirements under the Environmental Permitting Regulations 2016.</p> <p>This relates to specific site allocations:</p> <ul style="list-style-type: none"> • SA2.1 Colosseum Retail Park • SA2.5 Sainsburys Crown Rd • SA URB.01 Brimsdown sports ground • SA URB.13 Hertford Roach, Archers and Roman Way • SA URB.21 Moorfield Health Centre • SA RUR.01 Land Opposite Enfield Crematorium 	Thank you for this information. The constraints related to the SPA for each site have been reflected within the Site Assessment process.

Policy/Section of Plan	EA Comment	LBE response										
	<ul style="list-style-type: none"> • SA5.7 Ravenside Retail Park • SA URB.30 Montagu Industrial Estate • SA URB.34 5 Picketts Lock Lane • SA URB.35 Riverwalk Business Park • SA RUR.03 Land W of Ramney Marsh • SA RUR.05 Land at Innova Park • SA RUR.06 Land at Picketts Lock 											
Site Allocations – Cemeteries	<p>A Groundwater risk assessment will be required and should be undertaken in line with the following guidance: Cemeteries and Burials: Groundwater Risk Assessments Section L of the Environment Agency’s Approach to Groundwater Protection.</p> <p>Please note that the Cemeteries and Burials : Groundwater Risk Assessments guidance was updated on 2nd October 2023 to outline the revised approach for the regulation of new cemetery developments. The regulatory approach to cemetery developments is outlined in Protecting Groundwater from Human Burials.</p> <p>This relates to specific site allocations:</p> <ul style="list-style-type: none"> • SA RUR.08 Sloeman's Farm • SA URB.36 Church Street Recreation Ground 	Thank you for this information. The constraints related to the SPA for each site have been reflected within the Site Assessment process.										
Site Allocations – Proximity to Statutory Main Rivers or Waterbody	<p>We would advise the water bodies present in the vicinity of specific developments and place policies be mentioned in the site allocation documentation. We strongly recommend that the place policies which have rivers incorporate wording that encourages, and/or requires river restoration and naturalisation (PL3, PL4, PL5, PL7, PL8, PL9, PL10 and PL11).</p> <table border="1" data-bbox="479 1270 1518 1380"> <thead> <tr> <th data-bbox="479 1270 674 1380">Water Body Name</th> <th data-bbox="674 1270 954 1380">Water Body ID</th> <th data-bbox="954 1270 1133 1380">Water Body Type</th> <th data-bbox="1133 1270 1308 1380">Ecological Class</th> <th data-bbox="1308 1270 1518 1380">Mention within plan</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>	Water Body Name	Water Body ID	Water Body Type	Ecological Class	Mention within plan						Thank you for this information. The Council
Water Body Name	Water Body ID	Water Body Type	Ecological Class	Mention within plan								

Policy/Section of Plan	EA Comment					LBE response
	Lea Navigation Enfield Lock to Tottenham Locks	GB106038027950	River	Poor	PL5 Meridian Water	
	Salmon Brook upstream Deephams STW	GB106038027960	River	Moderate	PL3 Edmonton Green, PL5 Meridian Water and PL10 Chase Park	
	Turkey Brook and Cuffley Brook	GB106038033180	River	Poor	PL11 Crews Hill	
	Small River Lee (and tributaries)	GB106038033200	River	Moderate		
	Pymmes Brook upstream Salmon Brook confluence	GB106038027940	River	Moderate	PL4 Angel Edmonton, PL5 Meridian Water, PL8 Palmers Green	

Policy/Section of Plan	EA Comment					LBE response
	Lea Navigation (Fieldes Weir to Enfield Lock)	GB106038077851	River	Poor	PL5 Meridian Water	
	New River	GB806100111	Surface Water Transfer	Good	PL1 Enfield Town and PL8 Palmers Green	
	North Mymms Tertiaries	GB40602G401200	Groundwater	Quantitative Class: Good Groundwater Chemical (GW) Status: Good		

Brett Leahy - Director of Planning & Growth - Environment & Communities

Enfield Council

Dated:

Signed on behalf of **STATUTORY BODY**

NAME / POSITION

Dated: