

Hadley Wood Neighbourhood Planning Forum
Matter 1 – legal, procedural & other general

Question	Comments
1.3	<p>The process of cooperation was not adequately followed.</p> <ul style="list-style-type: none"> ▪ The Hadley Wood Neighbourhood Planning Forum ('HWNPF') started work on the Neighbourhood Plan in 2015, years before the Council drafted its new Local Plan. In workshops, residents highlighted that they consider the surrounding Green Belt crucial to Hadley Wood's character and setting. The 'made' NP (rep. 01311-8-1) therefore: <ul style="list-style-type: none"> ○ summarises its overarching vision as: "<i>supporting sustainable development; preserving our local character and natural environment; protecting our Green Belt</i>"; and ○ states in Aspiration HW(iii): "<i>This Neighbourhood Plan proposes that Green Belt boundaries and designations within and surrounding Hadley Wood remain unchanged</i>". ▪ Without prior discussion, the Council proposed to release site RUR.02 in Hadley Wood from the Green Belt for housing in its 2021 Regulation 18 draft Local Plan (doc REG1). Based on the 46-76 units per hectare density used for Chase Park (PLA10, pg 41), RUR.02 might produce 500 housing units, increasing the total for the Neighbourhood Plan area by up to 50%, even though it is not a sustainable development location and no improvements to infrastructure, public transport or amenities are planned. ▪ The Council has not at any stage discussed its Plan, housing target or allocation of RUR.02 with the HWNPF. This is contrary to PPG: <ul style="list-style-type: none"> ○ 41-102-20190509: "<i>Proactive engagement with neighbourhood plan-making bodies is important as part of this process, in order for them to understand how the figures are reached. This is important to avoid disagreements at neighbourhood plan or local plan examinations...</i>". ○ 61-074-20190723: "<i>Where a neighbourhood plan has been brought into force, the local planning authority should take its policies and proposals into account when preparing the local plan</i>". ▪ The Council has also not yet contacted the Forum regarding the SoCG that was expected to be put in place before the end of 2024 (Letter 30 Sep 24, page 11). <p>The issue was covered in 9.3.1 and 9.3.5 of the HWNPF representation (rep.01311-1-1). The impact on residents is that site RUR.02 was wrongly allocated, and should be deleted.</p>

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1.5	<p>The Regulation 19 representations from statutory consultees reiterated outstanding concerns regarding site RUR.02, both specifically and in conjunction with the other land to be released from the Green Belt for housing.</p> <p><u>Boroughs bordering RUR.02</u></p> <ul style="list-style-type: none"> ▪ LB Barnet – concerned about the impact on Green Belt’s openness and on the Monken Hadley Conservation Area that is adjacent to RUR.02 (rep. 02091-1-2, pg 4). ▪ Hertsmere BC – development of RUR.02 must not compromise the wider strategic purposes of the Green Belt (rep. 01924-1-1, pg 2). <p><u>Other bodies</u></p> <ul style="list-style-type: none"> ▪ Greater London Authority – the Green Belt allocations are not aligned with Good Growth Objective GG2 (pg 2); Green Belt releases count towards post-2029 capacity-based housing target (pg 3); concerns re sustainability and suitability of the Green Belt sites (Pg 1 & 8); and exceptional circumstances for Green Belt release must be evidenced (rep. 00120-1-1, pg 8). ▪ Environment Agency – the Plan is unsound, not justified and site allocations are inconsistent with national policy (pg 1); site RUR.02 is in Flood Zones 2 & 3, whereas the Site Allocation paper incorrectly states FZ1 (rep. 01926-2-1, pg 6). ▪ Transport for London – site RUR.02 is a PTAL 1 location and it is unlikely that public transport or active travel could support the 160 homes; car-dependent and inconsistent with LP Good Growth GG2 (rep. 01891-3-1, pg 37). ▪ National Highways – further modelling is needed to review possible queues and delays at M25 Junctions 24 and 25 (rep. 01753-1-1, pg 10). ▪ Historic England – policy DE10 implies undefined adverse impact on heritage assets is acceptable if there is a S106 agreement (rep. 01788-1-1, pg 8). <p>The above issues were covered in paras 7.4.2 and 8.24.13 of the HWNPF Representation (rep.01311-1-1). Residents are impacted by RUR.02’s flawed allocation, which should be deleted. The high performing Green Belt land is important to the setting and character of Hadley Wood and it is not sustainable development, will harm heritage assets and add pressure on the limited local amenities and increase car use, congestion, pollution and flooding risk.</p>

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1.7	<p>The Plan is not in general conformity with the London Plan with respect to:</p> <ul style="list-style-type: none"> ▪ the <u>Good Growth Objectives</u>, due to the extensive release of Green Belt land for development, without having proactively pursued available alternative opportunities. <p>The Conformity Topic Paper cites a Court of Appeal judgment and PPG to support the Council’s extremely liberal interpretation of ‘<i>general conformity</i>’ (doc E3.2, paras 4 and 6), and the SoCG with the GLA notes that boroughs should roll over their current London Plan targets, rather than apply LP para 4.1.11 (doc E3.1, para 3.4). However, nothing indicates that boroughs no longer need to align with the broader London Plan spatial strategy in, amongst others, objective GG2 and policies G1 and G2 that protect open spaces, including the Green Belt.</p> <ul style="list-style-type: none"> ▪ <u>Policy T1</u>, which has a strategic target of 80% of all trips to be made by foot, cycle or public transport and make effective use of land, reflecting connectivity and accessibility by 2041. The land to be released from the Green Belt for housing is in relatively isolated locations with poor transport accessibility. <p>The Transport Topic Paper states that TfL believe that sites including Chase Park, Crews Hill and RUR.02 are “<i>likely to result in car dependent development contrary to the Good Growth objectives of the London Plan and the NPPF</i>” (doc E3.5, Table 5-2).</p> <ul style="list-style-type: none"> ▪ the <u>small sites target</u>. Although the London Plan set Enfield a minimum target of 353dpa for small sites (policy H2, Table 4.2), the Council has only included 281dpa. The number appears deliberately understated, as the first three years of the Plan period (2019-2022) recorded oversupply, of 379dpa (Housing Topic Paper, doc TOP3, Table 11). ▪ <u>Intensification</u>, which Plan policy H4 applies to <u>any</u> site, whereas the equivalent London Plan policy H1 only does so for <u>brownfield</u> sites – see Q1.11 below. The difference could have a material impact on compliance with Good Growth. <p>The above was covered in Section 7 of the HWNPF Representation (rep.01311-1-1). The loss of the high performing Green Belt land, and increased congestion, pollution and flooding from development in unsustainable locations, will directly and materially impact the residents of Hadley Wood.</p>
1.11	<p>It is not fully clear how the individual Plan policies relate to those of the London Plan.</p> <ul style="list-style-type: none"> ▪ The recently published Schedule (doc E3.3) that links Enfield’s Plan policies to those of the London Plan is of very limited use, as it does not provide a qualitative assessment. For example, it links Enfield’s H4 to London Plan H1 but fails to recognise that Enfield apply the intensification to <u>any</u> site, whereas London Plan H1.B.2 only does so for <u>brownfield</u> sites. Enfield’s policy H4 is therefore not aligned with the London Plan’s Good Growth objective GG2 and policy G1. ▪ Appendix A of the HWNP Forum’s representation proposed modifications to align Enfield’s Plan policies with the London Plan. The misalignments relate to Enfield having looser standards than the London Plan, and planning officers having unfettered discretion to interpret the vague policy wording as they wish.

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	<p>The failure to incorporate the modifications proposed in Appendix A of the HWNPF’s representation (rep.01311-1-1) will impact residents, as the Plan process illustrates that their comments and objections are ignored, supporting evidence selectively gathered to fit decisions made earlier, etc.</p>
1.12	<p>The Plan has not been entirely prepared in accordance with the requirements of the Planning and Compulsory Purchase Act 2004, associated Regulations, and the NPPF.</p> <ul style="list-style-type: none"> ▪ Contrary to NPPF para 31, at the time of the Regulation 19 Consultation, the Plan and evidence base comprised 289 disjointed and sometimes contradictory documents; the current number is smaller – it is unclear whether documents were deleted or merged. ▪ Review of the 16,000+ pages was hampered by inconsistent labelling of the site in Hadley Wood, which was referred to as ‘RUR.02’, ‘R.02’, ‘SA45’, ‘LP465’, ‘EN3’ and ‘COC8’ in different documents. ▪ Key information was made available late, or not at all (e.g. sites’ priority rankings, per the Site Allocation Process), making it hard to consider evidence and justification. ▪ Published documents were updated without detailing the changes (e.g. Regulation 18 Consultation Statement was increased from 266 to 340 pages, and documents SUB14 and SUB14a are both the ‘Duty to Cooperate Statement’ dated August 2024, yet one has 136 pages, the other 164). ▪ Also contrary to NPPF para 31, the Green Belt sites were identified in the 2021 Regulation 18 consultation (‘Main Issues and Preferred Options’, doc REG1), whereas the supporting evidence was only developed years later, with the following key documents published <u>after</u> the Council Meeting scheduled for 6 March 2024, at which Councillors were due to approve submission of the Plan: <ul style="list-style-type: none"> ○ Spatial Strategy & Overall Approach Topic Paper (doc TOP1); ○ Site Allocation Topic Paper (doc TOP 2); ○ Housing Topic Paper (doc TOP3); ○ Green Belt Exceptional Circumstances Topic Paper (doc TOP5). ▪ Contrary to S22 of the Town & Country Planning (LP) Regulations 2012, the Consultation Statements did not summarise the representations reasonably and accurately, and no noteworthy changes were made to Plan proposals to reflect the thousands of representations. <ul style="list-style-type: none"> ○ The section on RUR.02 in the Regulation 18 Consultation Statement failed to mention the HWNPF’s detailed 87 page representation with 225 pages of supporting expert reports, whereas it allocated two pages to the landowner’s support of release for development (doc REG2, pages 315-317). The Council rejected the Forum’s request to make the Consultation Statement more balanced. Note that the Council appears to have erroneously submitted the earlier 266 page version (doc REG2), rather than the 340 page updated version (‘Consultation and duty to cooperate’ section of Evidence Base). ○ The Regulation 22 Consultation Statement omits important points from the HWNPF’s representation, including proposed modifications to align policies with the London Plan and 11 accessible brownfield sites that could produce 3,500 homes.

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	<ul style="list-style-type: none"> ▪ The Council has not yet contacted the Forum regarding the SoCG that was expected to be put in place before the end of 2024 (Letter 30 Sep 24, page 11). <p>The above was covered in paras 8.13 and section 9 of the HWNPF Representation (rep.01311-1-1). Residents are impacted by RUR.02’s flawed allocation, which should be deleted. The high performing Green Belt land is important to the setting and character of Hadley Wood. It is not sustainable development, will add pressure on the limited local amenities and increase car use, congestion, pollution and flooding risk.</p>
1.14	<p>The representations have not been adequately taken into account.</p> <ul style="list-style-type: none"> ▪ The HWNPF submitted extensive representations during the Regulation 18 and 19 Consultations, with supporting expert reports. ▪ The HWNPF was copied on over 1,000 residents representations in the Regulation 18 Consultation, and over 2,000 in the Regulation 19 Consultation. All objected to the proposed release of site RUR.02 from the Green Belt for development, and the Regulation 22 Consultation Statement showed that the site received more representations – 2,627 – than any other allocation (doc SUB12.1, pg 17). ▪ In spite of the thousands of representations, including objections from statutory consultees (see Q1.5 above), we are not aware of meaningful changes having been made to the Plan. <p>The above was in para 9.3 of the HWNPF Representation (rep.01311-1-1). The impact on local residents is that their widespread concerns re RUR.02 were ignored; the allocation is unsound and should be deleted.</p>
1.16d)	<p>The IIA decision-making and scoring was not robust, justified and transparent with respect to site RUR.02.</p> <ul style="list-style-type: none"> ▪ The Sustainability Audit accompanying the HWNPF’s representation details that many IIA scores for RUR.02 were overly generous (rep. 01311-6-1, pages 26-28). However, even the Council’s own scores do not support release from the Green Belt, with only 5 of the 39 ratings being positive (doc SUB 8, pg 155, ‘R.02’). ▪ The Council has considered housing provision to outweigh all negative scores (Reg 22 Consultation Statement, doc SUB12.1, page 155, ‘Troy Planning’). That renders the IIA process a complete waste of time and is contrary to the sustainable development requirement of NPPF para 16. <p>The above was covered in paras 8.13 and appendix B of the HWNPF’s Representation (rep.01311-1-1). Residents are impacted by RUR.02’s flawed allocation, which should be deleted. The high performing Green Belt land is important to the setting and character of Hadley Wood. It is not sustainable development, will add pressure on the limited local amenities and increase car use, congestion, pollution and flooding risk.</p>

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1.16e)	<p>The Council failed to consider sites that were ‘reasonable alternatives’.</p> <ul style="list-style-type: none"> ▪ The capacity study has not been updated since 2020 (New Enfield Plan 2041: Capacity Study, Evidence Base, Homes for All section). ▪ The Council has failed to seriously consider 11 brownfield sites detailed in the HWNPF’s representation (rep. 01311-1-1, para 8.27) that could produce ~3,500 new homes. The Council’s response in the Reg 22 Consultation Statement states that: “<i>while alternative sites were considered, they were found insufficient to meet the overall housing requirement</i>” (doc SUB12.1, pg 454). The comment is nonsensical, because no site can produce the full 33k housing target, but that does not justify ignoring sites that could produce a sizeable number of homes. <p>The impact on the residents of Hadley Wood is that the Council has allocated high performing Green Belt site RUR.02 for 160+ new homes, incorrectly arguing that they cannot be accommodated on brownfield land. The allocation should be deleted.</p>
1.16f)	<p>The IIA did not influence the proposals regarding RUR.02.</p> <p>The high-level concept was relatively clear:</p> <ul style="list-style-type: none"> ▪ The Site Allocation Topic Paper states that “<i>The aim of the IIA is to help to identify and assess different strategic and alternative options and help advise on the most sustainable solutions</i>” (doc TOP2, para 4.17); and ▪ The Housing Topic Paper adds that “<i>the implications of releasing land from the Green Belt for development have been carefully evaluated through an Integrated Impact Assessment</i>” (doc TOP 3, para 3.44). <p>However, in practice the IIA was ignored for RUR.02, with the site allocated simply because it was put forward by its owner and could produce housing:</p> <ul style="list-style-type: none"> ▪ There is no definition of ‘sustainability’ or ‘sustainable development location’, so it is unclear how that was judged. ▪ The IIA does not give weightings to different factors, and does not produce an overall rating or ranking for each site. ▪ Only 5 of the site’s 39 IIA scores were positive (doc SUB8, pg 155, ‘R.02’). The logical conclusion would therefore be that the site should not be allocated. ▪ The Council’s response to the representation of the HWNPF’s advisers Troy Planning indicates that it considered housing provision to outweigh all negatives (doc SUB12.1, pg 155, 4th row). That principle is not stated anywhere and would render the IIA a waste of time, and it would not ensure sustainable development, as required per NPPF para 16. <p>The above was covered in paras 8.13 and 8.14 of the HWNPF Representation (rep.01311-1-1). The impact on the residents of Hadley Wood is that the Council has arbitrarily allocated site RUR.02, even though it is not a sustainable development location and the IIA scores support it remaining in the Green Belt. The allocation should be deleted.</p>

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1.16(g)	<p>Concerns with respect to the integrity of the IIA as it relates to site RUR.02 were raised in the representations that the HWNPF, its expert advisers and over 2,000 residents submitted, but nothing was changed in the Plan.</p> <p>The above was covered in 7.4.3, 8.14, 8.20.2, 8.24.10, 9.7 and Appendix B of the HWNPF's representation (rep.01311-1-1). Residents are impacted by RUR.02's flawed allocation, which should be deleted. The high performing Green Belt land is important to the setting and character of Hadley Wood. It is not sustainable development, will add pressure on the limited local amenities and increase car use, congestion, pollution and flooding risk.</p>
1.25	<p>Although the Plan has policies to help mitigate the effects of climate change, those are undermined by proposals to build thousands of homes on Green Belt land, in car-dependent, unsustainable development locations, without having explored available alternative locations.</p> <p>The Council's response to the HWNPF's advisers Troy Planning suggests it considered housing provision to outweigh all negative IIA scores (doc SUB12.1, pg 155, 4th row).</p> <p>The above was in 8.24.6, 8.24.11, 8.27 and 9.1.4 of the HWNPF's representation (rep.01311-1-1). The impact on residents of Hadley Wood is that RUR.02 was allocated, even though it is not a sustainable development location, will increase car use, and add to congestion, pollution and flooding risk. Public transport accessibility is poor and there are very limited amenities within active travel distance; for example, the single form primary school is already oversubscribed and the headteacher has indicated that it will not be allowed to expand, as schools elsewhere in the borough have spaces.</p> <p>Therefore, rather than help mitigate the effects of climate change, the Plan's Green Belt allocations will exacerbate them.</p>

Word count: 2,800