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# **Report on Hadley Wood Neighbourhood Plan 2022-2039**

**An Examination undertaken for the London Borough of Enfield Council  
with the support of the Hadley Wood Neighbourhood Planning Forum on  
the October 2022 submission version of the Plan.**

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Date of Report: 3 August 2023

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## **Main Findings - Executive Summary**

From my examination of the Hadley Wood Neighbourhood Plan (the Plan) and its supporting documentation including the representations made, I have concluded that, subject to the policy modifications set out in this report, the Plan meets the Basic Conditions.

I have also concluded that:

- The Plan has been prepared and submitted for examination by a qualifying body – the Hadley Wood Neighbourhood Planning Forum;
- The Plan has been prepared for an area properly designated – Hadley Wood, as illustrated in Figure 1 of the Neighbourhood Plan;
- The Plan specifies the period to which it is to take effect – 2022-2039; and
- The policies relate to the development and use of land for a designated neighbourhood area.

I recommend that the Plan, once modified, proceeds to referendum on the basis that it has met all the relevant legal requirements.

I have considered whether the referendum area should extend beyond the designated area to which the Plan relates and have concluded that it should not.

## **1. Introduction and Background**

### **Hadley Wood Neighbourhood Plan 2022-2039**

- 1.1 The designated area includes the settlement of Hadley Wood on the north-western edge of the London Borough of Enfield. The Neighbourhood Plan Area, as shown on Figure 1 of the Plan, is mostly surrounded by Green Belt land, much of which is in agricultural use. There is a small portion of suburban development adjoining the south-eastern boundary of the Plan Area, adjacent to Hadley Wood golf course within the Plan Area. Waggon Road defines most of the northern boundary to Hadley Wood, and Cockfosters Road marks much of the eastern boundary. The London Borough of Barnet is located immediately west of Hadley Wood, and Hertsmere adjoins the north-west of the Plan Area. The built-up area is traversed by the north-south railway line, with Hadley Wood railway station at its centre. The railway line also crosses the designated Conservation Area, which is focussed on Crescent West and East, with the local shopping parade along Crescent West. Camlet Way and Beech Hill form a major west-east route across the Plan Area.
- 1.2 Most of the buildings in the Plan Area are residential, having been built initially in Victorian times, with new estates added between the 1900s and 1960s, and piecemeal developments thereafter. In general, Hadley Wood has a “leafy, semi-rural village” character, as referenced in paragraph 2.5

of the Plan. There is a preponderance of large houses with sizeable gardens in Hadley Wood. The population of the Plan Area was estimated as approximately 2,475 in 2018 (paragraph 2.6 of the Plan).

- 1.3 The designation of the Hadley Wood Neighbourhood Planning Forum and Neighbourhood Plan Area was approved in July 2015 by Enfield Council. In January 2021, the Forum was redesignated, enabling work on the Neighbourhood Plan to proceed for a further 5 years.<sup>1</sup> The Neighbourhood Plan, following substantial work on evidence-gathering and public engagement, was submitted for examination in October 2022.

### The Independent Examiner

- 1.4 As the Plan has now reached the examination stage, I have been appointed as the examiner of the Neighbourhood Plan by the London Borough of Enfield Council, with the agreement of the Hadley Wood Neighbourhood Planning Forum.
- 1.5 I am a chartered town planner and former government Planning Inspector, with previous experience in examining neighbourhood plans, many of which have been in Greater London. I am an independent examiner, and do not have an interest in any of the land that may be affected by the Plan.

### The Scope of the Examination

- 1.6 As the independent examiner I am required to produce this report and recommend either:
- (a) that the neighbourhood plan is submitted to a referendum without changes; or
  - (b) that modifications are made and that the modified neighbourhood plan is submitted to a referendum; or
  - (c) that the neighbourhood plan does not proceed to a referendum on the basis that it does not meet the necessary legal requirements.
- 1.7 The scope of the examination is set out in Paragraph 8(1) of Schedule 4B to the Town and Country Planning Act 1990 (as amended)('the 1990 Act'). The examiner must consider:
- Whether the plan meets the Basic Conditions.
  - Whether the plan complies with provisions under s.38A and s.38B of the Planning and Compulsory Purchase Act 2004 (as amended) ('the 2004 Act'). These are:

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<sup>1</sup> See section 61F(8) of the 1990 Act.

- it has been prepared and submitted for examination by a qualifying body, for an area that has been properly designated by the local planning authority;
  - it sets out policies in relation to the development and use of land;
  - it specifies the period during which it has effect;
  - it does not include provisions and policies for 'excluded development'; and
  - it is the only neighbourhood plan for the area and does not relate to land outside the designated neighbourhood area.
- Whether the referendum boundary should be extended beyond the designated area, should the plan proceed to referendum.
  - Such matters as prescribed in the Neighbourhood Planning (General) Regulations 2012 (as amended)('the 2012 Regulations').

1.8 I have considered only matters that fall within Paragraph 8(1) of Schedule 4B to the 1990 Act, with one exception. That is the requirement that the plan is compatible with the Human Rights Convention.

### The Basic Conditions

1.9 The 'Basic Conditions' are set out in Paragraph 8(2) of Schedule 4B to the 1990 Act. In order to meet the Basic Conditions, the neighbourhood plan must:

- Have regard to national policies and advice contained in guidance issued by the Secretary of State;
- Contribute to the achievement of sustainable development;
- Be in general conformity with the strategic policies of the development plan for the area;
- Be compatible with and not breach European Union (EU) obligations (under retained EU law)<sup>2</sup>; and
- Meet prescribed conditions and comply with prescribed matters.

1.10 Regulation 32 of the 2012 Regulations prescribes a further Basic Condition for a neighbourhood plan. This requires that the making of the neighbourhood development plan does not breach the requirements of

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<sup>2</sup> The existing body of environmental regulation is retained in UK law.

## 2. Approach to the Examination

### Planning Policy Context

- 2.1 The Development Plan for this part of Enfield Council, not including documents relating to excluded minerals and waste development, is the Enfield Core Strategy, adopted in November 2010; Enfield Development Management Document, adopted in November 2014; and the London Plan, adopted March 2021. Enfield Council is currently working on a new Local Plan to replace the Core Strategy and Development Management Document for the period 2018-2039. Consultation on the draft Regulation 18 version (Main issues and preferred options) took place in summer 2021. In response to my written request for information on the emerging Plan's progress (letter 12 June 2023)<sup>4</sup>, the Council's response of 23 June 2023<sup>5</sup> outlines an indicative timetable. This envisages publication of a proposed submission Local Plan (in accordance with Regulation 19) in winter 2023. Following consultation, the Council expects to submit the draft new Local Plan for examination in late 2024.
- 2.2 The Basic Conditions Statement for the Hadley Wood Neighbourhood Plan includes commentary from Enfield Council on how the submitted Neighbourhood Plan aligns to the emerging Local Plan. I shall have regard to the Government's Planning Practice Guidance (PPG) on Neighbourhood Planning in my examination. The PPG advises that, although a Neighbourhood Plan is not tested against policies in an emerging Local Plan, the reasoning and evidence informing the local planning process is likely to be relevant to the consideration of the Basic Conditions against which a Neighbourhood Plan is tested.<sup>6</sup>
- 2.3 The planning policy for England is set out principally in the National Planning Policy Framework (NPPF). The PPG offers guidance on how this policy should be implemented. All references in this report are to the 20 July 2021 version of the NPPF and its accompanying PPG.

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<sup>3</sup> This revised Basic Condition came into force on 28 December 2018 through the Conservation of Habitats and Species and Planning (Various Amendments) (England and Wales) Regulations 2018.

<sup>4</sup> [https://www.enfield.gov.uk/\\_data/assets/pdf\\_file/0032/39299/examiner-questions-hadley-wood-NDP-planning.pdf](https://www.enfield.gov.uk/_data/assets/pdf_file/0032/39299/examiner-questions-hadley-wood-NDP-planning.pdf)

<sup>5</sup> [https://www.enfield.gov.uk/\\_data/assets/pdf\\_file/0010/40330/forum-response-to-examiner-question-1-Planning.pdf](https://www.enfield.gov.uk/_data/assets/pdf_file/0010/40330/forum-response-to-examiner-question-1-Planning.pdf)

<sup>6</sup> PPG Reference ID: 41-009-20190509.

## Submitted Documents

2.4 I have considered all policy, guidance and other reference documents I consider relevant to the examination, including:

- the Submission Document – Hadley Wood Neighbourhood Plan 2022 -2039, October 2022 (Document HW3);
- Map [Figure 1] of the Plan which identifies the area to which the proposed Neighbourhood Development Plan relates;
- the Consultation Statement, October 2022 (Documents HW2, 2A & 2B);
- the Basic Conditions Statement, October 2022 (Document HW1);
- the Strategic Environmental Assessment & Habitats Regulations Assessment: Screening Report, prepared by London Borough of Enfield, June 2022 (Document HW4);
- all the representations that have been made in accordance with the Regulation 16 consultation (Document HW5a); and
- the responses from the Forum (22 June 2023) and the Council (23 June 2023) to my letter of 12 June 2023.<sup>7</sup>

My role is to examine the submitted Neighbourhood Plan produced in October 2022 (Document HW3). In addition to this, the Forum has helpfully prepared an updated, composite 'Submission Document (April 2023)' (Document HW8)<sup>8</sup> which includes suggested modifications it has put forward, post Regulation 16 consultation, which seek to address the representation made on the October 2022 Plan (notably the extensive comments of the Council). Document HW7<sup>9</sup> provides a detailed schedule of the changes suggested in Document HW8, and Document HW9<sup>10</sup> provides reviewed evidential information about the proposed Local Green Spaces.

2.5 It should be noted that the starting point for my examination remains the original submitted Neighbourhood Plan ie. Document HW3 dated October 2023. My report includes references to the 'submitted Neighbourhood Plan', 'the Hadley Wood Neighbourhood Plan' and 'the Neighbourhood Plan'. In all cases this means Document HW3. However, in undertaking the examination and making my recommendations, I have sought to take full account of the suggestions made by the Forum (where appropriate) and shall comment on the suggested modifications in my report. I note that some of the suggested modifications refer to Neighbourhood Plan Aspirations. As such, these will not form part of the statutory development plan (since they do not constitute land-use planning policies and are

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<sup>7</sup> View these documents at: <https://www.enfield.gov.uk/services/planning/emerging-plans#hadley-wood-neighbourhood-plan>

<sup>8</sup> View at: [https://www.enfield.gov.uk/\\_data/assets/pdf\\_file/0025/37762/HW8-HWNP-Composite-Version-Planning.pdf](https://www.enfield.gov.uk/_data/assets/pdf_file/0025/37762/HW8-HWNP-Composite-Version-Planning.pdf)

<sup>9</sup> View at: [https://www.enfield.gov.uk/\\_data/assets/pdf\\_file/0024/37761/HW7-Proposed-Modifications-Schedule-April-2023-Planning.pdf](https://www.enfield.gov.uk/_data/assets/pdf_file/0024/37761/HW7-Proposed-Modifications-Schedule-April-2023-Planning.pdf)

<sup>10</sup> View at: [https://www.enfield.gov.uk/\\_data/assets/pdf\\_file/0026/37763/HW9-Local-Green-Space-Assessment-April-2023-Planning.pdf](https://www.enfield.gov.uk/_data/assets/pdf_file/0026/37763/HW9-Local-Green-Space-Assessment-April-2023-Planning.pdf)



therefore not part of my formal examination). However, for the sake of overall coherence, consistency and accuracy I accept these should be made where they are referenced.

## Site Visit

- 2.6 I made an unaccompanied<sup>11</sup> site visit to the Neighbourhood Plan Area on 8 June 2023 to familiarise myself with it, and visit relevant sites and areas referenced in the Plan and evidential documents.

## Written Representations with or without Public Hearing

- 2.7 This examination has been dealt with by written representations. I considered hearing sessions to be unnecessary as the consultation responses clearly articulated the objections to the Plan, and presented arguments for and against the Plan's suitability to proceed to a referendum.

## Modifications

- 2.8 Enfield Council put forward a number of proposed modifications to the Plan, labelled as "PMs" at the Regulation 16 consultation stage, which are contained in Document HW5a. Many of these were taken forward to the updated, composite 'Submission Document (April 2023)' (Document HW8), and separately detailed in Document HW7 'Proposed Modifications Schedule (April 2023)', both of which I attach at Appendix 2 to this report. I comment either overarchingly or specifically, where appropriate, on all the modifications proposed by Enfield Council and the Neighbourhood Planning Forum in my report, stating whether or not I recommend they should be taken forward to ensure the Basic Conditions are met.
- 2.9 I have further recommended additional modifications to the Plan, where I consider these are also necessary to meet Basic Conditions and other legal requirements. To distinguish these from the "PM" prefix used by the Council<sup>12</sup> in Document HW5a, these are labelled as Examiner's Proposed Modifications (**EPMs**). For ease of reference, I have listed these **EPM** modifications separately in Appendix 1.

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<sup>11</sup> Note: A driver was provided by IPe to facilitate access and travel.

<sup>12</sup> The "PM" prefix is further used/duplicated by the Forum in the schedule comprised of Document HW7. As a result, I have referenced the changes in Document HW8 (rather than Document HW7) throughout this report in order to avoid conflating the differing numbering of the Council and Forum's suggested PMs.

### 3. Procedural Compliance and Human Rights

#### Qualifying Body and Neighbourhood Plan Area

- 3.1 The Hadley Wood Neighbourhood Plan has been prepared and submitted for examination by the Hadley Wood Neighbourhood Planning Forum (the qualifying body). Both the qualifying body and the Neighbourhood Plan Area were designated by the London Borough of Enfield Council on 7 July 2015. The Forum was redesignated on 18 January 2021, to enable it to continue work on the Neighbourhood Plan for a further five years.
- 3.2 It is the only Neighbourhood Plan for Hadley Wood and does not relate to land outside the designated Neighbourhood Plan Area.

#### Plan Period

- 3.3 The Plan specifies clearly the period to which it is to take effect, which is from 2022 to 2039.

#### Neighbourhood Development Plan Preparation and Consultation

- 3.4 The Neighbourhood Planning Forum, as explained earlier, was established in 2015, and the Hadley Wood Neighbourhood Area, which is the subject of the submitted Neighbourhood Plan, was also designated then. Work on outline planning policies began at meetings in 2016, and a neighbourhood planning working group was established in June 2017. Professional planning consultants were selected to facilitate production of the Plan, and a first draft was reviewed by Forum members and a group of residents in summer 2018. A second draft was published on the Hadley Wood Association website in early 2019 and shared with Enfield Council. An updated plan was scheduled for public consultation in accordance with Regulation 14 in August-October 2020, but consultation had to be delayed because of the Covid pandemic. The Forum kept residents and other interested parties informed by online methods, including public meetings available via Zoom, a dedicated Hadley Wood Association website, a free magazine/newsletter (The Hadley Wood News) distributed to all households, and e-mail/WhatsApp messages to members of local associations.
- 3.5 The submitted Consultation Statement indicates that all statutory bodies with a possible interest in the Plan, in addition to local residents and interest groups, were consulted. Regulation 14 consultation on a draft Plan took place between 8 May and 3 July 2022, and produced 196 responses, with extensive comments from Enfield Council and Thames Water. The Submission Document, Hadley Wood Neighbourhood Plan (Document HW3), took account of consultation responses and was subject to further consultation in accordance with Regulation 16, between 21 December 2022 and 17 February 2023. Responses from 12 bodies were received, as set out in the Neighbourhood Plan Document HW5a.

- 3.6 I am satisfied that a transparent, fair and inclusive consultation process has been followed for the Plan, that has had regard to advice in the PPG on plan preparation and engagement and is procedurally compliant in accordance with the legal requirements.

#### Development and Use of Land

- 3.7 The Plan sets out policies in relation to the development and use of land in accordance with s.38A of the 2004 Act.

#### Excluded Development

- 3.8 The Plan does not include provisions and policies for 'excluded development'.<sup>13</sup>

#### Human Rights

- 3.9 Enfield Council is satisfied that the Plan does not breach Human Rights (within the meaning of the Human Rights Act 1998) and, from my independent assessment, I see no reason to disagree.

### 4. Compliance with the Basic Conditions

#### EU Obligations

- 4.1 The Neighbourhood Plan was screened for Strategic Environmental Assessment (SEA) by Enfield Council, which found that it was unnecessary to undertake SEA. Enfield's Screening Report dated June 2022 (Document HW4) cautions that the screening opinion was based on the draft Plan produced in April 2022. I have read the Screening Report and support its conclusion on SEA. I am also satisfied that the submitted Neighbourhood Plan, dated October 2022, does not include material changes to an extent which would necessitate reassessment and lead to a likely different conclusion.
- 4.2 Hadley Wood Neighbourhood Plan was further screened for Habitats Regulations Assessment (HRA), and Enfield Council concluded that further assessment was not required. Paragraphs 5.35 to 5.39 of Enfield's SEA & HRA Screening Report (Document HW4) explain this conclusion, and section 7 confirms that Natural England is supportive of it. From my independent assessment of this matter, I have no reason to disagree.

#### Main Issues

- 4.3 Having regard for the Hadley Wood Neighbourhood Plan, the consultation responses and other evidence, and my site visit, I consider that one main

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<sup>13</sup> See section 61K of the 1990 Act.

issue stands out for this examination. This is whether the Local Green Space designations, put forward in Policy HW-6 of the Neighbourhood Plan, meet the Basic Conditions for neighbourhood planning and provide the local community with certainty that the predominant green character of the area, with local places to enjoy wildlife and outdoor activities, will prevail in future. After addressing this issue, I also report on other specific issues of compliance following consideration of all the Plan's other policies. Appendix 1 to my report includes details of the modifications which I consider necessary for the Neighbourhood Plan to comply with the Basic Conditions. As noted, these modifications are referenced in the report as Examiner's Proposed Modifications (**EPMs**).<sup>14</sup>

### Local Green Spaces

- 4.4 Paragraphs 5.14 & 5.15 of the submitted Plan helpfully explain the criteria for designating Local Green Spaces (LGSs) as set out in the NPPF, and give a cross-reference to Appendix 4, where each of the proposed eleven LGSs is described. In general terms, subject to my detailed comments and **EPM7** below, I consider that Policy HW-6 and the supporting text set out the policy for LGS designation clearly and explain the requirements of national planning policy in the NPPF appropriately. Figure 20 shows the location of all selected sites, and Appendix 4 provides readers with information as to the case for designating each particular site.
- 4.5 Policy HW-6 identifies eleven potential LGSs, describing the first five sites as "local open spaces and wildlife corridors" and the last six as "open space within the Green Belt". Notwithstanding Hadley Wood's character, as semi-rural and on the edge of the built-up area of London, it is questionable whether as many as eleven sites should be designated. The NPPF states that the LGS "designation should only be used where ..." the specified three criteria are met.<sup>15</sup> I recognise that the Forum has taken account of the fact that much of the open space around Hadley Wood is Green Belt land, where national planning policy states that boundaries should only be altered where exceptional circumstances are fully evidenced and justified. Given the strong protection from development which Green Belt policy provides, it is correct to consider whether LGS designation is a necessary addition.
- 4.6 Following the Regulation 16 consultation exercise, the Forum's Document HW8, dated April 2023, proposes changes to Policy HW-6 for reasons set out in a Local Green Spaces Review (Document HW9). The review concluded that the following sites should not be put forward as LGSs, for reasons (in brief) as follows:

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<sup>14</sup> This distinguishes them from the "PMS" put forward by Enfield Borough Council in its Regulation 16 responses to the Neighbourhood Plan (Document HW5a) which are referenced in this report.

<sup>15</sup> NPPF, paragraph 102.

- LGS2 Hadley Wood Primary School Field already has protection from disposal under Section 77 of the School Standards and Framework Act 1998;
- LGS5 Railway cuttings already has protection as Network Rail prohibits building works within prescribed distances of rail tracks and the boundary of its land;
- LGS9 Hadley Wood Golf Club at 64 hectares is a “significant tract of land” and therefore fails to meet the NPPF criteria for LGS designation; and
- LGS11 Sewitts Hill is part of the Golf Club estate and should be treated accordingly, rather than as a separate tract of land.

- 4.7 I am satisfied that these proposed modifications to the Neighbourhood Plan stemming from this review, to delete the above four LGSs, should be made, as set out in Policy HW-6 and Figure 20 of Document HW8, to have regard to the NPPF and to contribute to the achievement of sustainable development. Also, Appendix 4 should be deleted, and a reference to the updated Local Green Spaces Assessment should be added to paragraph 5.15 of the Plan. These modifications are all shown in Document HW8.
- 4.8 The updated Local Green Spaces Review describes LGS1, Land to the east of the railway line, as a 5 hectare tract of land, with public accessibility, and the location for Hadley Wood Association community centre, Tennis Club and children’s playground. I saw at my site visit that it is close to the community it serves and well used. I support its designation as LGS, with the exclusion of the small area around the centre, as proposed in the updated Assessment, to enlarge and refurbish the community centre if required in future. Although LGS3, Land above the southern railway tunnel north and south of Camlet Way, has no public access for rail-related safety reasons, it is reportedly a haven for biodiversity with links to wildlife corridors. Adjacent to the Conservation Area and at the centre of Hadley Wood, I accept that it has local significance and is a small tract of land (0.6 hectares) which can be designated as LGS. LGS4, adjacent to St Paul’s Church, is a small publicly accessible space, used as a playground for St Paul’s Pre-School group, as well as for outdoor church services and social gatherings. I am satisfied that its designation as LGS meets the criteria in the NPPF and should be made.
- 4.9 LGS6, Hadley Wood Association land to the west of the railway line, contains sports’ fields, wildflower meadows and woodland. It is publicly accessible and used for walking and recreation, as well as by Mount House School for PE/sports’ activities and the PowerHause Football Academy. It is already protected by Green Belt designation, but given its size (4 hectares), its proximity to residential areas of Hadley Wood and its range of community uses, I support its designation as LGS. LGS7, land over the north railway tunnel is a publicly accessible 1 hectare tract of woodland, providing an important footpath link from the centre of Hadley Wood to Waggon Road and a section of National Cycle Route 12. The space is within the Green Belt, but I recognise its importance to the local community for walking and recreation and support its designation as LGS.

LGS10 Covert Way Local Nature Reserve is a 6.5 hectare site of publicly accessible woodland close to residential development and described as “extensively used by residents for recreational purposes”. The site has existing designations, notably as Green Belt and a Site of Borough Importance for Nature Conservation. However, having regard for the NPPF requirements, I am content for it to be designated as LGS.

- 4.10 LGS8 comprises the fields to the north of Camlet Way and to the west of Crescent West. The Duchy of Lancaster owns the land, and objects to its LGS designation, citing paragraph 101 of the NPPF: “*Designating land as Local Green Space should be consistent with the local planning of sustainable development and complement investment in sufficient homes, jobs and other essential services ....*”. The Duchy draws attention to the emerging Enfield Local Plan, which proposes to allocate the Duchy’s site as Site Allocation SA45, and indicates that it could be released from the Green Belt to provide approximately 160 new homes, under draft Local Plan Policy SPH1, to contribute to the London Borough’s significant need for new housing development. The Duchy cites the PPG: “It is important to minimise any conflicts between policies in the neighbourhood plan and those in the emerging local plan, including housing supply policies”.<sup>16</sup> The Duchy queries whether emerging evidence of housing need has been addressed in the Hadley Wood Neighbourhood Plan.
- 4.11 Appendix 5 of the Hadley Wood Neighbourhood Plan confirms that the Forum has taken account of the Enfield draft Local Plan’s SA45 allocation and has sought advice from expert consultants. A list of bullet points in Appendix 5 shows clearly why the Forum is opposed to the proposed site allocation and puts forward a number of robust reasons for its view. My attention has also been drawn to the considerable number of objections made to the release of Green Belt sites for new housing and the SA45 allocation in the draft Enfield Local Plan, including those set out in representations from the Mayor of London. In brief, the Mayor contends that there appears to be sufficient capacity to meet the required housing target (of at least 25,000 new homes to 2039) in Enfield without allocating Green Belt sites. Exceptional circumstances for release of Green Belt land through the Local Plan process, as set out in paragraph 140 of the NPPF, have not been established. Enfield’s chosen areas for Green Belt land release are perceived to offer very low public transport accessibility. There is a risk that more car-dependent development could increase pressure on the road network and undermine the Mayor’s Good Growth objective. There is a need, the Mayor argues, to explore more opportunities for housing development on brownfield and small sites in Enfield, ahead of Green Belt sites, in accordance with London Plan guidance.
- 4.12 As outlined in paragraph 2.2 above, the Basic Conditions do not require the Hadley Wood Neighbourhood Plan to generally conform with the Enfield draft Local Plan, but to take note of the reasoning and evidence. I

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<sup>16</sup> PPG Reference ID: 41-009-20190509.

am satisfied that the Forum has taken account of the proposed site allocation SA45, but in view of the early stage of Local Plan preparation, and range of criticisms made by the Mayor of London and many others, including local residents and interest groups of Hadley Wood, I am satisfied that the Neighbourhood Plan need not include an allocation for new housing on the Duchy site. In my view, the Enfield Local Plan, following future examination and adoption, is the mechanism for determining whether or not site allocation SA45 should be made, and not the current Hadley Wood Neighbourhood Plan.

- 4.13 I have also considered whether the Duchy's site, shown as LGS8 in the Neighbourhood Plan, fully meets the criteria for LGS, as defined in the NPPF (and further supplemented by advice in the PPG).<sup>17</sup> At 11.05 hectares, I consider that the site borders on being an extensive tract of land and, although it is in close proximity to the community it serves, is not publicly accessible and is operated as pasture/grazing land. From my site visit, I realised that current views of the Duchy site from public vantage points are limited by mature vegetation, topography and hedgerows. Occupiers of properties along Camlet Way, Crescent West and Bartram's Lane may enjoy attractive private views across the land from their rear gardens and upper windows, especially in winter when vegetation may die back. However, the lack of public accessibility, combined with limited public viewpoints from within the Hadley Wood Neighbourhood Plan area, go against the requirement for being demonstrably special to the local community, in my opinion. The site is not used by the community for walking and recreational purposes as are the other proposed LGSs on the edge of the built-up area of Hadley Wood (LGSs 6, 7 & 10). The Duchy site already has the benefit of protection from inappropriate development as designated Green Belt. It is already designated as an Area of Special Character, a Site of Borough Importance for Nature Conservation and an Area of Archaeological Importance.
- 4.14 Overall, I conclude that the case for LGS designation of LGS8 is not sufficiently strong. I recommend that Policy HW-6 and Figure 20 are modified to remove it as a LGS, for consistency with national planning policy. Furthermore, I observe that in the light of the 2020 Court of Appeal judgment in *R on the Application of Lochailort Investments Limited v Mendip District Council*<sup>18</sup>, the wording of the last clause in the policy should be revised to ensure that it has sufficient regard to the scope of the protection afforded by NPPF paragraph 103. On the main issue, I conclude that 5 of the 11 LGSs shown in Policy HW-6 of the submitted Neighbourhood Plan should be deleted, leaving in place six spaces which meet the NPPF requirements for designation. These should provide the local community with certainty that the predominant green character of the area, with a number of local places to enjoy wildlife and outdoor

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<sup>17</sup> See PPG Reference IDs: 37-005-20140306 to 37-022-20140306.

<sup>18</sup> Case Number: C1/2020/0812.

activities, will be retained in future and meet the requirements of NPPF paragraphs 101<sup>19</sup> and 102. **EPM7** reflects my conclusions.

### Specific Issues of Compliance

4.15 My assessment of the submitted Hadley Wood Neighbourhood Plan now proceeds on a chapter by chapter basis. I make frequent references to Document HW8 (Appendix 2 to this report), as it is clear to me that this includes many of the proposed modifications to the original Submission Plan (Document HW3), put forward as a result of Regulation 16 consultation responses, notably from Enfield Council (see Document HW5a). I state below which of the proposed modifications in Document HW8 should be made, and which should not be made, alongside recommending other supplementary modifications.

### Foreword and Chapter 1. Introduction

4.16 The Foreword to the Neighbourhood Plan provides a brief statement as to the purpose of the Plan, the character of the area and the principal aims for its future. Chapter 1. Introduction gives a brief account of the plan-making process, explains the relationship of the Neighbourhood Plan to the London Plan and its strategic aim for Good Growth, outlines the changing character of the Hadley Wood area, and refers to the strategic planning policies of the draft Enfield Local Plan. It finishes with a list of the outcomes that it considers the “making” of the Neighbourhood Plan for Hadley Wood will achieve. Enfield Council put forward a number of proposed modifications to the Foreword and Chapter 1 (Council PMs 1, 2 and 3, see Document HW5a), and I am satisfied that these have been addressed suitably in Document HW8, along with other modifications to paragraphs 1.6, 1.7, 1.10-1.12, and 1.14-1.16, all of which I support, to enhance the Plan and ensure it is in general conformity with the strategic policies for London and Enfield. I propose an additional modification to the third bullet point of paragraph 1.9, to clarify that climate change as well as areas of hard surfacing have contributed to increasing occurrences of flooding. **EPM2** and the above modifications should be made so that the Foreword and Chapter 1 satisfy the Basic Conditions for neighbourhood planning.

### Chapter 2. Hadley Wood ‘today’

4.17 Chapter 2, Hadley Wood ‘today’ begins with Figure 1 which shows the boundary of the Neighbourhood Plan Area and the location of key features, including the Green Belt land, conservation area, railway station and Crescent West Local Parade, among other things. The chapter usefully outlines the history of development in Hadley Wood. Largely undeveloped until the late nineteenth century, Hadley Wood began to develop as a commuter suburb following development of the railway line

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<sup>19</sup> Paragraph 101 states the LGS should be capable of enduring beyond the end of the plan period.



in Victorian times. Chapter 2 advises that, in 2018, the population of the Neighbourhood Area was 2,475. Compared with Enfield Borough, the mean age for residents of Hadley Wood was higher (40 compared with 36 years) and 92% of homes were privately owned. The main characteristics of Hadley Wood, as perceived by the local community, are cited – ie. a distinct and well-defined neighbourhood entirely surrounded by Green Belt, with a good sense of community but limited range of local community facilities, and poor public transport services with traffic congestion in peak commuter times along Cockfosters Road. This description of the Neighbourhood Plan Area and its demographic profile accords with observations at my site visit. The last section of Chapter 2 outlines the legal context of the Neighbourhood Plan, which should be helpful for readers. I support the proposed modification to paragraph 2.10, put forward by Enfield Council to correct the reference to the Core Strategy (Council PM4), so that the Plan is in general conformity with Enfield's work on a new Local Plan.

### [Chapter 3 Hadley Wood 'tomorrow'](#)

4.18 Chapter 3, Hadley Wood 'tomorrow' sets out the vision and objectives for Hadley Wood, stating that these have been developed through consultation with the local community. Seven objectives, beginning with Green Infrastructure and Natural Environment, are described to provide a framework for the Neighbourhood Plan Policies. These objectives are then shown at the start of subsequent chapters which set out the Plan's policies. Enfield Council proposed a modification to Objective 03: Housing (Council PM5). Document HW8 includes modified wording to address this point and delete the words "Planning officers must assess", which I support, as it is not the role of the Neighbourhood Plan to determine the role of local authority planning officers. With these modifications in place, I am satisfied that Chapters 2 and 3 set out a clear picture of Hadley Wood 'today' and 'tomorrow' and provide useful contextual information for readers.

### [Chapter 4. Setting and character](#)

4.19 Chapter 4 Setting and character, affirms that Hadley Wood's setting and character are overwhelmingly defined by its verdant nature and Green Belt. The following Enfield Core Strategy aims are highlighted - (Strategic Objective 2) to promote environmental sustainability; (Strategic Objective 9) to protect and enhance the natural heritage and open character of the borough, and the network of green infrastructure; and (Strategic Objective 10) to promote high quality design, enhancing local distinctiveness and identity. The Hadley Wood Conservation Area Appraisal and Management Proposals, and the Heritage and Character Assessment by AECOM for the Hadley Wood Neighbourhood Planning Forum are cited in the justification text preceding Policy HW-1 Setting, character and views. I consider that these documents provide important evidential information about the character and setting of Hadley Wood and should be referenced in the Neighbourhood Plan. Enfield Council proposed

a number of modifications to the wording of paragraph 4.4 and Policy HW-1 (Council PMs 9 -14) and Document HW8 incorporates the majority of these, along with a definition of the meaning of "characteristics". I observed some typing errors in Chapter 4 of Document HW8 which should be corrected to ensure that the policy can be applied effectively in the development management process. I conclude that Policy HW-1 and the supporting text should be modified as shown in Document HW8 and **EPM3**, so that they provide robust policy for development management purposes and contribute to the achievement of sustainable development.

- 4.20 Paragraphs 4.6 to 4.10 and Policy HW-2 concern Boundary walls, and it was clear from my site visits that low boundary walls to buildings with sizeable front gardens contribute to the open and green character of the streetscene. Enfield Council's PMs 15-19 were put forward to modify the wording to avoid ambiguity and assist policy application. Document HW8 includes nearly all the proposed modifications, except that it does not provide justification for the 0.5m threshold in Policy HW-2 b). I consider that this requirement should be modified and sought more flexibly, as in **EPM4**, to ensure the policy is robust and will secure sustainable development. In addition, the modified wording, shown in Document HW8, to Policy HW-2 and the section on Boundary walls should be made to meet the Basic Conditions.
- 4.21 Front gardens are addressed from paragraph 4.11 onwards, with paragraph 4.13 explaining that the large scale paving-over of front gardens is having a detrimental effect on the character of Hadley Wood. The Neighbourhood Plan helpfully refers to policies in Enfield Core Strategy and Development Management Document which aim to protect gardens and provide the context for Policy HW-3 Paving of front gardens in the Neighbourhood Plan. Enfield Council proposed modifications to the wording of the policy and paragraph 4.24 (Council PMs 21-23), and these have been taken forward in Document HW8. Document HW8 also shows modifications to paragraph 4.20, to remove the unhelpful comment on Permitted Development (PD) rights' abuse and enforcement, and to refer to pedestrians as well as cyclists in 4.21. All these modifications should be made to ease decision-making on proposed new and replacement hardstandings in front gardens and contribute to sustainable development.
- 4.22 Paragraphs 4.26 onwards and Policy HW-4 address off-street parking. I appreciate that vehicle parking is an important issue in Hadley Wood, because of the area's relatively remote position on the edge of London, its restricted public transport services, and the difficulties for local residents of reaching many amenities and services by bicycle or on foot. As a result, car ownership levels are high. The Plan advises that the replacement of single dwellings with apartment buildings, in recent years, has increased the numbers of cars parked on sites or on street in the surrounding area. Paragraphs 4.29, 4.31 and 4.32 include criticism of Enfield Council's policy and management of car parking in Hadley Wood. As the Council's PM24 observes, the Plan's text could undermine the

processes in place at Enfield Council and could be seen as out of conformity with the Core Strategy and emerging Local Plan policy. The deletion of the relevant paragraphs as shown in HW8 should therefore be made.

- 4.23 Enfield Council's PM25 is designed to modify Policy HW-4 regarding requirements for developments on the main access roads, where an increase in the number of housing units is proposed. Transport for London (TfL) objected to Policy HW-4, partly because it would allow higher standards of parking for 3+ bedroom apartments, without evidence that this would support the provision of additional family housing. However, given the difficulties of travel by public transport, cycling and walking in Hadley Wood, I consider that some flexibility to the policy for apartments on the specified main access roads should be allowed. Council PM25 would address objections made by TfL that maximum standards should be set elsewhere, and that on-site spaces for visitors and deliveries/maintenance workers should be included in the standard provision. The Forum has not taken forward the proposed modifications and, given the difficulties associated with redevelopment schemes described in Appendix 6 of the Neighbourhood Plan, I appreciate the reluctance to do so. I recommend that the reference to appropriate additional on-site spaces for visitors and deliveries/maintenance workers in Policy HW-4 on main access roads should be retained, as off-street provision, away from the main roads, could contribute to highway safety and the avoidance of congestion. However, the third bullet should add the word "maximum" for other roads as in Council PM25, in line with the London Plan. Providing **EPMS** is made, the section on off-street parking and Policy HW-4 should be in general conformity with development plan strategic policy and contribute to the achievement of sustainable development.
- 4.24 Chapter 4 of the Plan finishes with a section on Heritage Assets, alerting readers to policies in the Core Strategy and Development Management Plan which seek to preserve and enhance the Borough's heritage assets. The Hadley Wood Conservation Area Appraisal and Enfield Council's Local Heritage List, which include assets within Hadley Wood, are referenced, ahead of Policy HW-5: Heritage Assets, and Aspiration HW(ii) to encourage additions to the Local Heritage List. The Hadley Wood Conservation Area Study Group is mentioned in paragraph 4.41 and requested at the Regulation 16 consultation stage that its role and work be mentioned more positively. Document HW8 includes a modification which would achieve this aim, and this should be made as a mechanism to achieve sustainable development.

## [Chapter 5. Natural environment](#)

- 4.25 Chapter 5. Natural environment begins with information concerning the Green Belt. Figure 17 helpfully shows the location of Hadley Wood amidst the extensive Green Belt land in Enfield, Hertsmere and Barnet. Document HW8 contains a proposed modification to 5.2, to state that the

Green Belt land can provide significant flood storage to benefit downstream areas. In contrast, Enfield Council comments that the Enfield Characterisation Study, which recognised land within the Area of Special Character, was produced in 2012 and may be out-of-date (Council PM28). Contemporary uses, it is argued, do not necessarily provide the multiple benefits for wildlife and watercourses which existed in historical times. In the absence of specific, up-to-date data to the contrary, I consider that paragraph 5.3 should remain as written. The modification to 5.2 should be made to contribute to the achievement of sustainable development.

- 4.26 Paragraphs 5.4 onwards provide detailed information about protection of Green Belt land in national planning policy (NPPF), the London Plan and Enfield's Core Strategy and Development Management Document. I understand the importance of these policies to Hadley Wood, especially in light of the proposed SA45 allocation. However, as explained in paragraph 4.12 above, I consider that any decision to amend Green Belt boundaries around Hadley Wood, in the light of this proposal, should be taken by Enfield Borough Council as it produces its new draft Local Plan. I therefore consider that the third bullet in paragraph 5.7, and paragraphs 5.10 and 5.11 should be deleted, to meet the Basic Conditions for neighbourhood planning. Proposed modification **EPM6** should be made accordingly.
- 4.27 Trees and biodiversity are discussed in paragraphs 5.16 – 5.26 and provide an introduction to Policy HW-7. Trees on street, in private gardens and in the green areas surrounding the built-up area of Hadley Wood are an important asset, as I observed at my site visit. Policy HW-7 seeks a 10% net biodiversity gain from new development, and the footnote explains this is the most up-to-date version of Natural England's biodiversity metric. 10% reflects the Environment Act 2021. Document HW8 shows modification to paragraph 5.19, which conflicts with bullet 3 in Policy HW-7. I support the modifications proposed in Document HW8 to paragraphs 5.16, 5.19 & 5.20, as well as Aspiration HW(iv), and accept the Forum's argument that additional information on tree categories within the policy could make it too complex. For consistency between the text and policy, I recommend that Policy HW-7 is modified, as put forward in **EPM8**, so that the policy will contribute to sustainable development.
- 4.28 Flood risk and sustainable drainage is covered at the end of Chapter 5. As Hadley Wood has experienced several flooding incidents in recent years, it is appropriate for the Plan to address the topic in some detail. Relevant policies from Enfield's Core Strategy and Development Management Document are quoted, and Figures 24 and 25 show maps of flood zones and the extent of flooding from surface water. A number of modifications are proposed to the wording of paragraphs 5.28 and 5.30-5.42, to describe past incidents and actions without criticising the responsible authorities, which I support. As Enfield's Development Management Document already requires a Sustainable Drainage Systems (SUDs) strategy from all developments, paragraph 5.42 and bullet 2 of Policy HW-8 should be modified as in Document HW8. A factual correction should be

made to Aspiration HW(vi) as in Document HW8. With the above modifications, Policies HW-8 and HW-9 will be in general conformity with Enfield Council's strategic policies and the pursuit of sustainable development.

## Chapter 6. Housing, development and design

- 4.29 Housing, design and development are addressed in Chapter 6 of the Neighbourhood Plan. The objectives for housing policy are stated at the outset: development should provide a wider range of housing sizes, including smaller family homes and downsizing options; and achieve high quality design informed by existing character and grain, including height, scale and massing. The supporting text explains the policy background for new housing in Hadley Wood and describes the area's current stock as "very heavily skewed towards larger homes", with almost 70% of homes having 4 or more bedrooms. In comments on Policy HW-10 New housing development and mix, Enfield Council stated that most of the points were repeated in policies elsewhere and advised that seeking "maximum" affordable housing was unjustifiable; "downsizing opportunities" is not a specific or enforceable matter (see Council PM41). Document HW8 shows a modified policy, which includes all the amended wording put forward by Enfield Council, with an added sentence encouraging developers to engage with the local community about downsizing opportunities. I recognise that the policy is repetitive of national and local planning policy but am satisfied that it be retained as it is directed at the specific situation in Hadley Wood with a shortage of small and medium sized houses.
- 4.30 The Duchy of Lancaster argued that the Neighbourhood Plan should give an indicative target for new housing across the Neighbourhood Plan area, potentially in excess of the 160 units proposed in the draft Local Plan. As already stated, there is no requirement for a Neighbourhood Plan to define targets and I do not recommend that one be added. I conclude that Policy HW-10 should be modified as in Document HW8 to contribute to the achievement of sustainable development.
- 4.31 Policy HW-11 is also criticised by Enfield Council for repeating other policies (Council PM42). However, I consider that its inclusion should assist developers with an interest in promoting schemes for self-contained apartments, recognising that Hadley Wood has attracted many such developments in recent years. Document HW8 shows a modified policy, which removes the uncertainty from the first bullet as sought by Enfield Council. I agree with the Council that the policy should include a footnote, to give a reference to the Government's Nationally Described Space Standards, as in **EPM9**. Then, Policy HW-11, with modifications, will satisfy the Basic Conditions.
- 4.32 Concerning the design of new development, the Plan draws attention to Objective 10 of Enfield Core Strategy which promotes high quality development that enhances local distinctiveness and identity. Paragraph 6.14 of the Neighbourhood Plan helpfully sets out the features identified in

the Hadley Wood Heritage and Character Assessment that contribute to local character and distinctiveness. It is explained that different periods of development, from the late 1800s onwards, provided different architectural styles and detailing to Hadley Wood. Paragraph 6.20 draws attention to London Plan Policy D9 on tall buildings, and to Enfield Council's draft Local Plan which recognises that Hadley Wood is not an appropriate location for tall buildings. The vulnerability of front and back garden space to new development in the Area is described. Development there, it is argued, can be detrimental to the setting and character of Hadley Wood, to biodiversity and the natural environment. Incremental development also places pressure on local infrastructure including water services. Enfield Council commented that Policy HW-12 is repetitive of higher tier policies and other parts of the Neighbourhood Plan (Council PM44). However, in my view, listing these design requirements in a single policy should be helpful for developers. I consider that the Neighbourhood Plan should include high design standards and include detailed policy requirements as sought in Policy HW-12, in order to protect the character and distinctiveness of Hadley Wood, in line with national planning policy (section 12 of the NPPF) and the existing (and emerging) strategic planning policies of Enfield Council.

- 4.33 However, in order to ensure that Policy HW-12 can be effective in decision-making and will secure sustainable development, I consider that the wording requires some modification. Enfield Council's PM44 includes re-wording which has partially been included in Document HW8. On bullet 4 of the policy, Enfield Council stated that there could be instances where taller buildings might be appropriate e.g. at the rail station or on prominent corners. I agree and propose modified wording accordingly. I also consider that UPVC restrictions should be targeted in the Conservation Area, as clarified in Enfield Council's proposed re-wording of bullet 7. The second sentence of the policy, as re-written in Document HW8, includes an instruction for planning officers, which should be modified as in **EMP10**. Providing Policy HW-12 and the supporting text in 6.26 is modified in accordance with the changes put forward in Document HW8 and **EMP10**, the policy should contribute to the achievement of sustainable development.
- 4.34 Policy HW-13 continues to seek high design standards on small sites, as defined with reference to the London Plan. Enfield Council pointed out that "views" are not a material planning consideration (Council PM45), and Document HW8 correctly, in my opinion, proposes its deletion. Enfield Council also cautioned use of the word "precedent" in clause c), as it could be used to cite historical precedents which carry little weight now. I consider that Policy HW-13 meets the Basic Conditions, providing it is modified as shown in Document HW8, and as long as **EPM11** is made.
- 4.35 I am satisfied that Policy HW-14: Back garden development, its supporting text and consequent Aspirations HW(viii) and HW(ix): Design Review, with the modifications shown in HW8, notably an added reference to Enfield's Development Management Document Policy 10, meet the

Basic Conditions and should be made. Policy HW-15: Construction activity is intended to safeguard neighbours' amenity when construction works are underway by requiring good on-site management standards. The policy meets the Basic Conditions.

## Chapter 7. Services and facilities

- 4.36 Chapter 7. Services and facilities notes that the presence and provision of social and community infrastructure is critical to sustaining and meeting the everyday needs of local residents. Policy HW-16 seeks to resist the loss of existing community buildings and supports proposals to enhance or add to existing facilities. It meets the Basic Conditions for neighbourhood planning and should be made. As paragraph 7.6 points out, the Crescent West local parade is defined as such within Enfield's town centre hierarchy. Policy HW-17 notes that Crescent West Local Parade provides an important service to the community and its future well-being is strongly supported. Document HW8 contains proposed modifications to paragraphs 7.6 and 7.7, which should be made as they provide a better overview of the area and omit references to specific premises and the quality of established buildings.
- 4.37 Document HW8 also proposes to modify Policy HW-17 so that it gives a specific minimum suitable size for active ground floor uses (750 sq. ft.). This should assist decision-makers when appraising planning applications, in my view, and should be made. However, I do not support the additional text proposed for bullet 4 of the policy, as it is focused on applications for new development. The same additional text was proposed by Enfield Council for bullet 5 (Council PM47). In my view, bullet 5 is repetitive of the last sentence in paragraph 7.8 and represents advice for developers rather than a requirement for development proposals. Paragraph 7.8 and Policy HW-17 should be modified, as in **EPM12**, to secure sustainable development. Aspiration HW(x): Local parade public realm is designed to enhance the parade with greening, cycle parking and a 20mph speed limit, and has my support.

## Chapter 8. Access and movement

- 4.38 Chapter 8. Access and movement begins with Objective 06, which seeks to support and contribute to enhancing the provision of public transport, pedestrian and leisure infrastructure. Policy HW-18 addresses Active Travel, and the supporting text and Aspiration HW(xi) demonstrate a positive approach to encourage more walking and cycling and an improved network for active travel. Regarding Aspiration HW(xii): Rail and bus services, TfL commented that improvements to the 399 bus services were unlikely to be viable, given the limited potential for new development in Hadley Wood. However, it seems to me that the aspiration cites the 399 route only as an example.

## [Chapter 9. CIL allocation to local projects & Chapter 10. What happens next?](#)

- 4.39 Chapter 9. CIL allocation to local projects, and Chapter 10. What happens next? provide information which should assist readers and users of the Neighbourhood Plan on matters relating to Community Infrastructure Levy (CIL) funding, and planning procedures for neighbourhood planning. I support the updated version of Chapter 10, as shown in Document HW8. Chapter 11 lists the policies and aspirations which are included in the Plan and recommend that these are all modified as necessary so that their wording is consistent with the policies and aspirations presented earlier in the Plan.

## [Appendices](#)

- 4.40 Enfield Council suggested (Council PM48) that Appendix 1: Planning Application Guidelines was confusing and should be deleted or amended. Document HW8 includes an amended Appendix 1, and I recommend that the modifications in it should be made. In addition, I recommend the first sentence should be modified to confirm that the Appendix contains guidelines rather than policy requirements. **EPM13** should be made to satisfy the Basic Conditions. As already explained in paragraph 4.7 above, Appendix 4: Local Green Space Designations should be deleted. Appendix 5 provides an explanation as to why the Neighbourhood Plan does not support the release of land on land proposed for development in the draft new Local Plan at site SA45. As explained in paragraph 4.11, Appendix 5 shows that the Forum has considered the merits of development of this site.
- 4.41 Appendix 6: Car parking begins with a repeat of Policy HW-4, which should be modified, so that wording is consistent with that in **EPM5**. **EPM14** should be made to secure this. Enfield Council was critical of the Appendix and suggested that it should be heavily edited or deleted (Council PM52). The Appendix is very forthright but presents evidence that Hadley Wood does not have the accessibility to workplaces, facilities and services by sustainable transport which much of Greater London possesses, and new future action, to make improvements, will be difficult to fund and implement. I note that Document HW8 includes some modified wording and edits the photographs, so that car registrations for illegally parked vehicles are removed. These modifications should be made, and the last bullet point on Page 150 should be modified, as in **EPM14**, for consistency with Policy HW-4, so that the Plan meets the Basic Conditions.
- 4.42 Appendix 7: Building height explains the Forum's position on tall buildings, but I agree with Enfield Council's PM53 that the appendix does not add to policy or provide clarification. I recommend that Appendix 7 is deleted, as in **EPM15**, so that focus remains on the requirements in Policy HW-12: High-Quality Built Environment and so that the Plan contributes to sustainable development. Enfield Council commented (Council PM54) that it was unclear which version of the emerging new Local Plan was covered by Appendix 8: Enfield policies map. I consider that it is unnecessary for



the Neighbourhood Plan to show these maps, which may change as the draft Local Plan is progressed, and I support the deletion of Appendix 8, as proposed in Document HW8. I have no comments to make on Appendices 9 and 10, followed by the Glossary of Terms.

- 4.43 Regarding other points raised in the consultation responses, I note the comment that “Aspiration” boxes should be removed from the Plan, as they cannot be delivered through planning policies. However, I know that they are used by other qualifying bodies and consider that they can be advantageous in alerting developers and communities to the need for planning to work in collaboration with other bodies to deliver high-quality development and achieve good place-making. Paragraph 1.14 of the Plan explains their status accurately and, having regard to the advice in the PPG<sup>20</sup>, I consider the “Aspiration” boxes are sufficiently identifiable. Thames Water proposed new text relating to water/wastewater infrastructure in the Neighbourhood Plan. However, I consider that such information would be more suitably included in a higher tier plan, particularly as Hadley Wood is not promoting major development.
- 4.44 I have taken account of the representations submitted by Interested persons, including the view that policy relating to Green Belts, Local Green Spaces and openness should take more account of cross boundary impacts, policy and plans. I have read the late representations, received in June 2023, with the detailed information concerning the natural environment, setting, character and views. However, I am satisfied with the evidence underpinning the Plan’s policies and note that the Neighbourhood Plan should not include policies for application to areas outside its boundary.<sup>21</sup> In my opinion, the Hadley Wood Neighbourhood Plan with modifications addresses the issues raised adequately.

## 5. Conclusions

### Summary

- 5.1 The Hadley Wood Neighbourhood Plan has been duly prepared in compliance with the procedural requirements. My examination has investigated whether the Plan meets the Basic Conditions and other legal requirements for neighbourhood plans. I have had regard for all the responses made following consultation on the Neighbourhood Plan, and the evidence documents submitted with it.
- 5.2 I have made recommendations to modify a number of policies and text to ensure the Plan meets the Basic Conditions and other legal requirements. I recommend that the Plan, once modified, proceeds to referendum.

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<sup>20</sup> PPG Reference ID: 41-004-20190509.

<sup>21</sup> Section 38A(2) of the 2004 Act.

## The Referendum and its Area

- 5.3 I have considered whether or not the referendum area should be extended beyond the designated area to which the Plan relates. The Hadley Wood Neighbourhood Plan, with the modifications which I propose, should have no policy or proposals which I consider significant enough to have an impact beyond the designated Neighbourhood Plan boundary, requiring the referendum to extend to areas beyond the Plan boundary. I recommend that the boundary for the purposes of any future referendum on the Plan should be the boundary of the designated Neighbourhood Plan Area, as shown in Figure 1 of the Plan.

## Overview

- 5.4 I recognise the significant time and effort which has been put into producing the Plan by Hadley Wood Neighbourhood Planning Forum and the local community. With the Covid pandemic, the Forum has had to deal with additional obstacles in its work to engage with residents and interest groups, and to assemble relevant evidence. However, it has managed to submit its Plan for examination in a timely fashion following appropriate consultation. The submitted Neighbourhood Plan is generally well-written, with a clear structure and appropriate references to relevant national and local policy documents, as well as to the Forum's own substantive evidence base. As long as the modifications proposed in my report are made, which clearly draw considerably on those suggested in Document HW8, I conclude that the Hadley Wood Neighbourhood Plan should proceed to referendum.

*Jill Kingaby*

Examiner

## Appendix 1: Examiner's Proposed Modifications (EPMs)

Note: The references in EPMs 2-15 below are to the page numbers in Document HW8 (see Appendix 2 to this report)

<b>Examiner's proposed modification number (EPM)</b>	<b>Page no./ other reference</b>	<b>Modification</b>
EPM1	Documents HW8 and HW7	The track changed amendments shown in Document HW8 (and detailed separately as the Forum's suggested PMs 1-130 <sup>22</sup> in Document HW7), attached at Appendix 2, are recommended <u>subject</u> to the further revisions recommended in <b>EPMs 2 – 15</b> below.
EPM2	Page 8	Paragraph 1.9, 3 <sup>rd</sup> bullet: Increasing occurrences of flooding, <b>likely results of climate change, but also</b> exacerbated by .....
EPM3	Pages 24 and 28	4.4 The Heritage and Character Assessment states, <b>amongst other things</b> <del>inter alia</del> : <b>Policy HW-1: Setting, character and views</b> Proposals for development ...sensitive to the characteristics <del>views</del> ... d) Where .... bulk and scale <del>of a property</del> is greater than ..... iv. designing <b>side</b> extensions that <del>they</del> are subsidiary .....
EPM4	Page 31	<b>Policy HW-2: Front boundary walls, railings and gates</b> b) Solid front walls of 0.5m <del>and higher</del> will not be supported <del>or lower will be supported</del> . <b>Front</b> <del>B</del> boundary treatments .....

<sup>22</sup> These are not to be confused with the Council's suggested PMs (nos. 1-56) to be found in Document HW5a.

EPM5	Page 39	<p><b>Policy HW-4: Off-street parking</b></p> <p>Where the number of housing units on a....</p> <p>For developments on other roads, the <b>maximum</b> number of ....</p>
EPM6	Pages 47 and 49	<p>The third bullet in paragraph 5.7, beginning "Supports the local planning authority's ....." should be deleted.</p> <p>Paragraphs 5.10 and 5.11 should be deleted.</p>
EPM7	Pages 52 and 53	<p><b>Policy HW-6: Local Green Space Designations</b></p> <p><del>8. The fields to the north of Camlet Way and west of Crescent West (adjacent to the HWA land).*</del></p> <p>And delete the footnote as follows:</p> <p><del>* The NP assumes this site ..... and many residents.</del></p> <p>Figure 20: Local Green Spaces in Hadley Wood.</p> <p>Delete site 8 from the figure.</p> <p>Remove the final paragraph from the policy and replace with:</p> <p><b><i>Development proposals in designated Local Green Space will be managed in accordance with national policy for Green Belts.</i></b></p>
EPM8	Page 59	<p><b>Policy HW-7: Trees, the natural environment and biodiversity</b></p> <p>3. Any trees that are lost .....Lost trees include those that were removed in the <del>three years</del> <b>12 months</b> prior to <b>the date of submission of the planning application for the</b> development.</p>
EPM9	Page 73	<p><b>Policy HW-11: Self-contained apartments</b></p>

		Add a footnote to reference the Government's Technical Housing Standards - Nationally described space standards (2015).
EPM10	Pages 80 to 82	<p>6.26 The adverse effects ....local planning authority (<b>LPA</b>) is unable ..</p> <p><b>Policy HW-12: High – Quality Built Environment</b></p> <p>All development...of the locality. <b><i>Those proposing development should take into consideration the cumulative impact on the appearance, street scene, natural environment, flood risk, and road congestion.</i></b></p> <p>1. Buildings must respond .....</p> <p>4. Total building height must <del>must</del><b>should</b> not ...vicinity, <b><i>unless special circumstances are demonstrated....</i></b></p> <p><del>7 8</del> The use of alternatives to UPVC <b><i>including for doors, windows and rainwater goods will not generally be supported in the Conservation Area</i></b> and other synthetic materials is encouraged....</p>
EPM11	Page 83	<p><b>Policy HW-13: Small sites</b></p> <p>e) <b><i>b)</i></b> ensure that precedents used are nearby in the visible locality and <b><i>are examples from 2014 onwards....</i></b></p>
EPM12	Pages 92 and 93	<p>Paragraph 7.8 – Delete the last sentence and insert:</p> <p><b><i>The property owners in Crescent West Local Parade, community and local planning authority are strongly encouraged to work together to help ensure the long-term future of the local shops and eating/drinking establishments in the Local Parade, and to resist change of use to housing or to other uses that do not serve the local community, unless it is demonstrated with clear evidence</i></b></p>

		<p><b><i>that the use is no longer viable (subject to any prevailing permitted development rights).</i></b></p> <p><b>Policy HW-17: Crescent West Local Parade</b></p> <p>Delete bullet 5.</p>
EPM13	Pages 124 and 125	<p><b>Appendix 1: Planning Application Guidelines</b></p> <p>Delete the first sentence, and replace with:</p> <p><b><i>Below are the details that may, in accordance with Policy HW-13, need to be provided in planning applications (small developments, extensions and rebuilds), to complement the Council's requirements.....</i></b></p> <p>Insert footnotes 102 and 103, to explain small developments and Enfield's Article 4 Direction for the Conservation Area, as shown in Document HW8.</p>
EPM14	Pages 145 and 157	<p><b>Appendix 6: Car parking</b></p> <p>Re-write Policy HW-4 so that it is the same as in EPM5.</p> <p>Modify the last bullet point on Page 157 as follows:</p> <p>As the entire Plan area is PTAL-01.....and realistic travel options, where the number of housing units....<del>1.5 per 1 plus bedroom unit</del> <b><i>Policy HW-4 should apply.</i></b></p>
EPM15	Pages 159 to 164	<p><b>Appendix 7: Building height</b></p> <p>Delete this appendix.</p>

Appendix 2: Document HW8 - Composite (post) Submission Document (April 2023) & Document HW7 – Proposed Modifications Schedule (April 2023)

Document HW8 - Composite (post) Submission Document (April 2023)

[https://www.enfield.gov.uk/\\_data/assets/pdf\\_file/0025/37762/HW8-HWNP-Composite-Version-Planning.pdf](https://www.enfield.gov.uk/_data/assets/pdf_file/0025/37762/HW8-HWNP-Composite-Version-Planning.pdf)

Document HW7 - Proposed Modifications Schedule (April 2023)

[https://www.enfield.gov.uk/\\_data/assets/pdf\\_file/0024/37761/HW7-Proposed-Modifications-Schedule-April-2023-Planning.pdf](https://www.enfield.gov.uk/_data/assets/pdf_file/0024/37761/HW7-Proposed-Modifications-Schedule-April-2023-Planning.pdf)