

London Borough of Barnet Local Plan – Examination

Inspectors' Matters, Issues and Questions for Hearing Sessions - Autumn 2022

Matter 2: Spatial Strategy and Strategic Policies

Issue:

Whether the spatial strategy and strategic policies of the Plan are positively prepared, justified, effective and consistent with national policy, and in general conformity with the London Plan, in relation to the scale and distribution of the development proposed?

Questions:

- 1) Does the Plan's vision and key objectives provide a positively prepared and justified approach for Barnet's future growth?

Production of this Local Plan has had to contend with changing circumstances and increasing levels of uncertainty, in particular the impact of austerity, Brexit and COVID19. Within this challenging context, Barnet's Local Plan (Core_01) through its vision, themes and 12 key objectives, together with a policy framework of 52 policies, has articulated a strategy for managing sustainable growth, setting out where and how development will be delivered. The relationship between the key objectives established to deliver the Vision, Local Plan Chapters and the most relevant policies is set out in Table 2. The Local Plan is positively prepared. It is consistent with achieving sustainable development aiming as a minimum to fully meet objectively assessed housing and employment needs. Based upon proportionate evidence and having taken account of reasonable alternatives, the Plan is an appropriate strategy, clearly setting out the places where growth will be directed to. This is articulated in a suite of 13 Growth and Spatial Strategy policies. Local Plan policies seek to direct growth to the most sustainable locations in the Borough where there are sites available to accommodate a sufficient quantum of delivery. Policy BSS01 introduces the Plan by setting out the Spatial Strategy while Policy GSS01 establishes how Barnet will deliver sustainable growth. The policies to this effect have been assessed throughout the Plan process via the Integrated Impact Assessment (IIA) (Core_Gen_02), an iterative process, intended to draw out the most sustainable policy outcomes.

- 2) Does the Plan as submitted appropriately identify "strategic policies" or are the Council's proposed modifications necessary for soundness?

The Council acknowledges that through the Proposed Modifications (EXAM 4) it has been necessary to list additional policies listed (MM17) that are also capable of

addressing strategic priorities and cross boundary issues. Consequently, the Council considers that the proposed modifications are necessary for soundness.

- 3) Is the Plan consistent with the Framework which expects strategic policies to look ahead over a minimum 15-year period from adoption? If not, would the Plan period of 2021 to 2036 otherwise be justified?

The Council started a full review of the Local Plan in 2016 with the intention of planning for at least 20 years ahead, seeking to identify potential significant site proposals as part of a positive vision for the future of Barnet. The evidence base was commissioned on this basis. There is a need for pragmatism in terms of long term planning in the context of seemingly continuous changes to the planning system, as evidenced by legislation and regulation, often militating against the accuracy and value of evidence beyond the initial plan period. The Council recognises that following adoption policies should be reviewed at least once every five years to assess whether they need updating. Given this context, and taking into account any changing circumstances affecting the Borough, the Council will, in the spirit of NPPF (para 33) (Core_Gen_33), take a realistic and proportionate approach to reviewing evidence base documents following adoption of the Local Plan. It will also be receptive to considering the option of a partial review of the Local Plan.

- 4) Are the strategic requirements of the Plan as set out in Policy BSS01 intended to correlate with the London Plan when having regard to the approach to spatial development strategies in the Framework? If so, is the Plan's approach to housing, employment, retail, leisure and other commercial development respectively - positively prepared, justified and consistent with national policy?

Yes, the Plan (Core_01) seeks to positively address the significant challenges and opportunities to provide for good growth and the strategic policies of the London Plan (Core_Gen_16). It focuses development in areas which have good or potentially good public transport accessibility. Also, in meeting the identified need for homes and other uses, the Plan makes a more effective use of previously developed brownfield land and seeks to intensify development on a scale that provides the potential to create sustainable communities with appropriate levels of supporting infrastructure. The Mayor in his response at Reg 18 stage (Core_Gen_27) has welcomed Barnet's approach of concentrating growth in the Borough's Opportunity Areas, Growth Areas and District Town Centres.

The Council considers that it has taken a realistic and proportionate approach to keeping evidence relevant and up-to-date having regard to the Government's proposals for reforms to the planning system and the Ministerial Statement of January 2021 (Core_Gen_36) that set a deadline of December 2023 for all authorities to have up-to-date Local Plans in place.

- 5) Is the spatial strategy for the Borough and the overall distribution of development proposed in the Plan as set out in Policy BSS01 based on relevant and up-to-date

evidence and would it promote a sustainable pattern and scale of development in accordance with national policy and in general conformity with the London Plan?

Yes. Consistency with the NPPF is evidenced by the PAS Local Plan Route Mapper Toolkit – Part 4 – Local Plan Soundness and Quality Assessment (Core_Gen_24). With regards to the London Plan (Core_Gen_16) the Council refers to the Mayor’s Statement of General Conformity (Core_Gen_06). It should also be emphasised that the Local Plan must be in general conformity with the London Plan but that it is not necessary to be in exact conformity.

- 6) Is the approach of strategic policies relating to the spatial distribution of development, positively prepared, justified, effective, consistent with national policy and in general conformity with the London Plan? In those respects:
- a) What is the basis for the calculation and identified distribution of housing and employment growth as set out in Policy GSS01 in terms of Growth Areas (Policies GSS02 to GSS07), District Town Centres (Policy GSS08), areas of Existing and Major New Public Transport Infrastructure (Policy GSS09), areas of Estate Renewal and Infill (Policy GSS10), Major thoroughfares (Policy GSS11) and Redevelopment of Car Parks (Policy GSS12)?

Local Plan (Core_01) sets out in the Growth and Spatial Strategy Chapter where the growth will take place and provides the number of housing units expected. This information is summarised in Table 5, while further detail of how these figures will be achieved is set out in policies GSS01 to GSS12 together with the Sites Delivery Technical Paper (EXAM 9). Annex 1 Schedule of Site Proposals sets out specific sites and details, including site requirements and indicative figures for delivery, the calculation methodology for which is also set out in Annex 1. The assessment of site capacity has been largely based on standard methodologies using site size, PTAL score and the density matrix together with information provided by site owners/ developers. Indicative capacities within proposals are high level desk top assessments that will be firmed up by further design and masterplanning work as proposals transition to planning applications.

The Local Plan takes a realistic view to employment growth. COVID19 has greatly impacted the economy with the full long-term effects upon business and employment, remaining relatively unknown almost 2 years after the outbreak of the pandemic. The Government’s response to COVID19 is reflected in changes to the Use Classes Order in 2020 and the General Permitted Development Order in 2021 as shown on the Planning Portal (LP_LEG_07). The introduction of Use Class E for commercial uses as a replacement for A1 retail and B1 office greatly reduces the scope for the Plan to set targets for new retail and office provision. In responding to these changes and the outlook for the economy the Council’s realistic and more

sustainable approach is to introduce policies that will help safeguard existing provision of such uses.

The Local Plan's approach is to ensure no net loss of employment land with additional space created in appropriate locations such as the Growth Areas. This approach is supported by the London Industrial Land Demand Study (EB_E_09) and the West London Employment Land Review (EB_E_06). It is not a requirement of the NPPF or the London Plan that the Local Plan identifies where this gain should occur. By having policies that encourage retention of employment land and economic growth in the Borough the draft policies are compliant with the intent of the NPPF and London Plan.

- b) Is such an approach in seeking to guide and deliver development to the aforementioned areas, appropriate and justified?

Yes. The Density Matrix in Chapter 16 of the Local Plan was used as an established London mechanism (in the absence of reasonable alternatives) for determining indicative densities. The Council acknowledges that although no longer a component of the London Plan the matrix approach identifies greater development potential in locations with high public transport accessibility, fewer environmental constraints such as a Conservation Area or areas at flood risk, and where the urban context is considered to be more suitable to denser forms of development. The Council considers the Density Matrix highly relevant to the context of Barnet. Further it highlights that the Mayor has not raised the use of the Matrix as an issue of general conformity.

- c) To what extent is the development sought in the strategic policies consistent with the allocations in Annex 1?

There is a close and consistent relationship between policies GSS01 to GSS12 and the schedule of site proposals in Annex 1 illustrated by reference to applicable plan policies. Cross-reference to the contribution of specific proposals sites (where relevant) is also made within Maps 3A, 3B, 3C, 3D and 3E. The List of Sites – Summary Table in Annex 1 highlights the connections between the growth outlined in GSS01 and Annex 1.

- d) If the allocations do not fully meet the identified distribution of housing or employment growth in the areas referred to in Policies GSS01 to GSS12, does the Plan provide sufficient certainty as to how they would otherwise be delivered?

The proposals in Annex 1 provide an important contribution to the delivery of development. Table 5A summarises this contribution. Policies GSS01 to GSS11 provide the strategic framework for growth to be delivered. Table 5 as set out in the Proposed Modifications (EXAM 4) provides further detail on housing delivery capacities with regards to each of the locational components of GSS01. The Housing Trajectory (Core_Gen_29) sets out the

Borough's development pipeline, providing further demonstration of the delivery of housing growth. There are no specific allocations of employment uses in Annex 1.

The quantum of development is set out in Policy GSS01 with more detailed GSS policies setting out ambitions with regards to delivery of non residential uses, including safeguarding of existing employment levels. Barnet has several major regeneration locations. Brent Cross has extant outline permission for a high quantum of housing and will, through consented floorspace for 56,600 m2 of comparison retail and 395,000 m2 of offices, provide the majority of the growth in jobs and office space in the Borough. Colindale and Mill Hill East both have large existing permissions for development. The Council's focus on town centre regeneration and growth will play a significant role in job creation during the lifetime of the Plan.

- e) How have the boundaries of the aforementioned areas been identified and are they sufficiently clear?

The boundaries of Growth Areas reflect the opportunities offered for development, in particular good public transport accessibility and a supply of brownfield and underused land. Within the Council's Proposed Modifications (EXAM 4) MM03 and MM04 clarify the relationship between the Opportunity Areas of Brent Cross Cricklewood and Colindale with the Growth Areas of Brent Cross, Brent Cross West (Staples Corner) and Cricklewood Town Centre. MM05 explains that the boundaries of the New Southgate Opportunity Area have not yet been agreed. The Council has not revised the town centre boundaries which were initially adopted in the 2012 Local Plan.

- f) Are the approaches to boundaries and extents of the Growth Areas in general conformity with the London Plan, which identifies Opportunity Areas at New Southgate, Colindale/Burnt Oak and Brent Cross/Cricklewood. If not, are variations justified?

Yes. The Mayor in his response at Reg 18 stage (Core_Gen_27) has welcomed Barnet's approach of concentrating growth in the borough's Opportunity Areas, Growth Areas and District Town Centres. The Mayor has not raised any issues about the boundaries of Growth Areas or Opportunity Areas within the Local Plan.

- g) Are the Council's proposed modifications to the Plan and the Key Diagram in relation to the Growth Areas and their boundaries, necessary for soundness?

The Council considers that the soundness of the Plan is improved by the proposed modifications (EXAM 4) to the Key Diagram and Maps 3, 3A, 3B, 3C, 3D and 3E (MM23, MM52, MM72, MM79, MM82, MM87 and MM93. The changes provide further clarity on the intended implementation of GSS policies.

- h) Are any other changes to the Growth Areas, Opportunity Areas, or other locations identified in the strategic policies required to achieve soundness?

The Council has identified some necessary corrections to Table 5. Otherwise it is not considering further changes to Chapter 4 – Growth and Spatial Strategy.

- 7) The Council's vision for Barnet as indicated in Policies BSS01, GSS01 and GSS02, with respect to housing and employment growth places a significant dependency upon the delivery of planning permissions in the Brent Cross Growth Area. In that regard:
- a) What is the status of those planning permissions and when is delivery of the respective components in Policy GSS02 anticipated?

Status of Planning Permissions (EB E 25)

Outline planning consent for the Brent Cross Cricklewood regeneration scheme was originally granted in 2010 under planning permission ref: C/17559/08, dated 28 October 2010; (hereafter referred to as the '2010 outline planning permission'). An application submitted pursuant to Section 73 of the Town and Country Planning Act 1990 (as amended) ('S73 Permission') was subsequently determined in 2014 (planning reference F/04687/13) approving a variation to the extant outline planning consent.

The S73 Permission has since been implemented, along with a series of other drop-in permissions for components of the development.

The S73 Permission consists of 7 phases which have been further subdivided into sub-phases. To date, Reserved Matters Applications have been approved for: Phase 1A (North) (references: 15/00769/RMA, 15/03312/RMA, 15/03315/RMA, 15/06571/RMA, 15/06572/RMA, 15/06573/RMA 15/06574/RMA); Phase 1B (North) (reference 17/2963/RMA); Phase 1A (South) (references 15/06518/RMA and 17/8019/RMA); Phase 1B (South) in relation to Plot 12 (reference 17/6662/RMA); Phase 1A (North) (Infrastructure 1) in relation to Plots 53 & 54 delivering the Whitefield Estate Replacement Units (Part 1) (15/00720/RMA); Phase 1C in relation to Plot 11 (reference 18/6409/RMA) and Plot 13 (reference 18/6337/RMA); Phase 2 (South) (Thameslink Station) for the New Train Station; Phase 2 (South) (Plots) in relation to Plot 14 and Plot 17 including a tertiary street and area of public realm (reference 20/5690/RMA), Plots 15 and Plot 16 (reference 21/0070/RMA), and Claremont Park Road (Part 2) and High Street South items of Critical Infrastructure (reference 20/5534/RMA); Phase 2 (South) (School) in relation to Plot 46 (Replacement Claremont Primary School) and School Green Corridor (GC6) (reference 21/1181/RMA); Phase 2 (South) (Thameslink Station Approach) for the Interim Transport Interchange T1 (reference 21/2289/RMA); and Phase 4A in relation to Plot 25 providing student accommodation, ancillary uses and flexible commercial (reference 21/4063/RMA).

Phase 1A (North) was formally implemented by a material operation comprising the digging of a trench to contain part of the piled foundations for the northern support of the pedestrian River Brent Bridge (Bridge 10) in November 2016. The works form a part of the development permitted in outline by the s.73 Permission (F/04687/13) and satisfied the requirements of Condition 1.1.A. of the S73 Permission. A Certificate of Lawfulness was issued by the LPA on 20th January 2017 to confirm that the works are lawful (16/7507/191).

Phase 1B (North) was formally implemented by a material operation comprising the digging of a trench to contain part of the piled foundations for Plot 13 within Phase 1B (North) of the Development. The works were undertaken in accordance with the requirements of Planning Condition 1.1C of the S73 Permission. A Certificate of Lawfulness was issued by the LPA on 20th January 2017 to confirm that the works are lawful (19/4898/191).

Critical Infrastructure in Phase 1A (North) (Infrastructure 1) has been completed with the delivery of two junction improvement schemes at Claremont Road/Cricklewood Lane and Cricklewood Broadway/A5 providing improved capacity and pedestrian crossing facilities.

Drop-in planning applications have been approved for highways and public realm infrastructure (18/6645/FUL) and for the new Claremont Park improvements (19/2291/FUL) to provide alternative designs to the schemes that were previously approved under Reserved Matters.

The demolition of the Claremont Way Industrial Estate and ground preparation and preliminary piling works for the Phase 1 (South) tranche of works were completed in 2019. Utilities have been installed, ground reprofiling undertaken and new highways have been constructed for parts of High Street (South) and Claremont Park Road. Exploratory Park, a temporary open space off Claremont Way, was completed and is opened to the public in 2020 and the interim Claremont Way Improvement works and Visitor Centre building were completed in 2021. Construction of Claremont Park was completed in 2022 with the new park opened to the public in June 2022. The construction of a combined basement beneath Plots 12, 13 and 14 is nearing completion. Piling works commenced in May 2022 for the construction of Plot 25 and construction work on the first buildings within Plots 12 will start in September 2022. Plot 13 is programme to commence in early 2023.

Reserved matters for the new station were approved in July 2020

Drop-in planning applications have also been approved for the following: Aggregate and non-putrescible (construction) waste rail transfer facility (the 'RFF') (17/5761/EIA); Waster Transfer Station to replace the Hendon Waste Transfer Station (17/6714/EIA); Rail compound for the Train Operating Companies associated with the operation of the rail sidings (18/5244/EIA); and

construction of a train stabling facility to replace existing rail sidings (18/5647/EIA). All of these new facilities were required to replace existing infrastructure in order to release land for the delivery of the new train station.

The RFF has been constructed by DB Cargo and was brought into operation in 2019. The replacement rail sidings and TOC compound were completed in 2019 and the sidings commissioned into use in 2020. The planning permission for the waste transfer facility was implemented in 2019 following the demolition of the former buildings and preparation of the site. In 2021 the Council appointed McLaughlin and Harvey as the contractor to build the new waste transfer station in a two-stage contract of design and build. Construction is expected to commence at the end of 2022.

RMA consent was granted in 2020 for the new train station, Brent Cross West. Construction commenced in 2020 and the station will be complete by the end of 2022 and is expected to open to passengers in 2023.

Delivery of Policy GSS02 components

A total of 1,605 residential units have been approved in detail through reserved matters to date along with 662 units of student accommodation. A total of 4,433m² of retail space has also been approved along with a new community centre and children's nursery and a replacement primary school.

Exploratory Park, a temporary replacement park, and Claremont Park, a new Neighbourhood Park have been built and are already open to the public in advance of the first plots coming forward. These are items of Critical Infrastructure identified in the S73 Permission.

As set out above, other rail related infrastructure has already been delivered using Government Grant, and the new Brent Cross West station is due to be completed by the end of 2022 which will also provide a new pedestrian route across the railway linking Brent Cross Town to existing neighbourhoods to the west, including Brent. An Interim Transport Interchange will be in place for when the new station opens, and new pedestrian routes are being delivered as the new street network is built out. A contractor is in place to deliver the new Waste Transfer Station.

In terms of the new town centre and commercial office quarter, construction of the basements for the first development plots is nearing completion and the first buildings will commence construction this year. The first occupations by new residents are expected in 2024. In the meantime, temporary meanwhile uses are being delivered alongside local amenities. The first reserved matters application for office development has been submitted proposing 15,589m² of commercial office space and 12,443m² of flexible office/education space. The opening of the new Brent Cross West station in 2023 further strengthens Brent Cross Town as a location for commercial development.

Following the decision of Hammerson Aberdeen Standard in July 2018 to defer the development of Brent Cross Shopping Centre, the Council and its Joint Venture Partner Argent Related have commenced development of Brent Cross Town (BXT). Commencement of BXT has ensured that the new High Street on the south side of the A406 comprising retail and other town centre uses can be delivered. This will contribute towards achieving the requirement for the new Town Centre to span both North and South of the A406 and accords with the Development Framework (Core_Gen_12) and policy requirement to deliver a new town centre and not just an expanded shopping centre. This delivery sequence assumes that development at Brent Cross North (BXN) will still happen, just later than originally envisaged. Therefore, the delivery of BXT will provide the town centre context required by policy, to support the additional retail floorspace approved at BXN.

- b) If planning permissions are not implemented, does the Plan provide an effective contingency through a policy response for alternative or revised proposals to come forward pursuant to Policy GSS02 (including certainty of scale, type and form of development that would be required and/or permitted in Brent Cross North, Brent Cross Town and Brent Cross West (Thameslink), as identified by the Council's proposed modifications)?

The Local Plan acknowledges that the main scheme at Brent Cross North is currently on hold awaiting revised plans from Hammerson Aberdeen Standard Investments. Elsewhere within the Growth Area as demonstrated by the infrastructure and site preparation work that has been delivered at Brent Cross Town and the construction of the new Brent Cross West station with the associated rail infrastructure, very significant progress is being made in implementing the 2014 planning consent. National policy as set out in NPPF (para 33) expects Local Plans to be subject to a review within 5 years of adoption. The Local Plan also highlights that a partial review focused on GSS02 with regard to the Brent Cross Growth Area may be necessary to further comprehensive regeneration.

The Council has signalled through the LDS (Core_02) its intention to review the Brent Cross Cricklewood Growth Area Planning Development Framework (Core_Gen_12) before 2024 and where appropriate update it to reflect changes in policy and market shifts. It is anticipated this will provide further guidance around scale, type and form of development that would be required at Brent Cross North in accordance with the overall requirements of GSS02.

- c) Are effective monitoring and implementation processes in place to address and resolve any implications for growth (particularly in terms of housing and employment) arising from delays in delivery within the Brent Cross Growth Area?

Yes. The Local Plan sets out specific indicators to monitor progress of Brent Cross and the implementation of the 2014 planning consent. These relate to the delivery of homes, office, retail space and transport infrastructure in accordance with the consent.

- d) Should the Plan include a defined process and/or trigger for an early review should key monitoring indicators in the Brent Cross Growth Area not be met in terms of growth (particularly in respect of housing and employment) by relevant milestones within the Plan period?

The Council refers to its response to Q7c.

- e) Notwithstanding the above, are the relevant criteria of Policies BSS01, GSS01 and GSS02, justified and clearly written and unambiguous so it is evident how a decision maker should react to development proposals in the Brent Cross Growth Area?

Yes. The Council considers that these policies clearly express the Council's intentions for the long-term regeneration of the Brent Cross Growth Area. Policy GSS02 reflects the context of an existing planning permission for comprehensive development. GSS02 therefore has to reflect that scheme whilst being flexible to allow the Council to consider further applications within the Growth Area that are additional or different to the original permission.

- f) Are the potential modifications to Policy GSS02 and its supporting text as put forward by the Council necessary for soundness and/or would any further changes be required?

The Council considers that the modifications help improve the soundness of the Local Plan.

- 8) Is the Plan sufficiently clear in terms of any interrelationships between the Brent Cross West (Staples Corner) Growth Area (as identified by a proposed modification for Policy GSS03) and Brent Cross North, Brent Cross Town and Brent Cross West (Thameslink), and would it provide a positively prepared, effective and consistent approach with respect to any shared infrastructure, relationships and/or dependencies?

The Council has signalled its intention to review the 2005 Cricklewood, Brent Cross and West Hendon Development Framework (Core Gen 12) and introduce a new planning framework Supplementary Planning Document (SPD) for the area to reflect the updated masterplan and respond to changing circumstances around Brent Cross Shopping Centre. This will help to bring out the interrelationships between Brent Cross Growth Area and Brent Cross West Growth Area as well as the adjoining Staples Corner Growth Area in LB Brent. The Council has also

signalled through the Local Plan its intention to work with LB Brent on an area planning framework focused on Brent Cross West and Staples Corner.

9) The Brent Cross West (Staples Corner) Growth Area (Policy GSS03 as proposed to be modified) and the Cricklewood Growth Area (Policy GSS04) have linkages to the West London Orbital (WLO) planned transport improvements. In those respects:

- a) Are the policies sufficiently clear as to the forms of development that would be permitted to come forward independent of the delivery of the WLO and any safeguarding of land and/or contributions to funding arrangements for the WLO that may be necessary?

Yes. The Strategic Narrative for the WLO (EB_T_04) shows that it will serve existing stations within Barnet (including the new station at Brent Cross West) that are already served by Thameslink rail services. GSS policies support growth at locations with good public transport accessibility and access to services. These existing opportunities will be enhanced by the anticipated arrival of WLO services.

The Council considers that the route would fill a missing orbital link in North and West London, supporting the development of new jobs and homes, and connecting to town centres, employment hubs and existing and future transport links to London Underground, London Overground, Elizabeth Line, National Rail and High Speed 2 interchanges.

The WLO would also act as a catalyst for economic development, unlocking the potential of many town centres (in particular Cricklewood) along the proposed route. Improving public transport accessibility would have a wide range of benefits such as improving access to jobs and opportunities, supporting housing growth, and instilling a sense of place and belonging to new and established communities surrounding stations along the route.

TfL have highlighted in their SoCG (EB_SoCG_12) that this would not be before 2029. Therefore, it is appropriate that the Council seeks contributions to the delivery of the WLO. With regards to the safeguarding of land it is expected that the WLO will be largely using existing rail infrastructure provided by the Dudding Hill Line which is currently utilised for freight traffic only.

- b) If not, would the Council's proposed modifications to Policies GSS03 and GSS04 be sufficient to achieve soundness?

The Council considers that the modifications help improve the soundness of the Local Plan.

- c) Would any further changes to those policies be required to ensure that they are positively prepared, justified, effective, consistent with national policy and in general conformity with the London Plan?

The Council considers that the 5 year review timeframe for the Local Plan would be the opportune time to consider whether any further changes are needed to the policy framework as by then will be more certainty around WLO details, requirements and delivery timescales.

- 10) Taking account of the evidence accompanying the Plan, the levels of housing growth sought in the Edgware Growth Area appear particularly ambitious when considering the site opportunities identified (Sites 27 and 28) on Map 3C and other relevant policy considerations relating to matters such as tall buildings, flood risk and heritage assets:

- a) Is Policy GSS05, justified, effective and consistent with national policy in those respects?

Yes, the Edgware Growth Area is a long-term regeneration project, which is expected to be delivered within the lifetime of the Local Plan. Through optimising the use of sites and higher densities across the Growth Area, Edgware - a major town centre with high levels of public transportation, is considered to be a suitable location with the capacity to accommodate a substantial number of new market and affordable homes. It will therefore need to deal with and respond to changes in economic, market and technological conditions over this time. The foundations for this growth have already been established through the Growth Area SPD (EB_E_21) adopted in June 2021.

- b) If not, would the Council's proposed modifications be sufficient to achieve soundness or would further changes to the policy be required?

The Council considers that the modifications help improve the soundness of the Local Plan.

- 11) The Plan approach to Colindale Growth Area identifies site opportunities on Map 3D (Sites 9, 10, 11, 12 and 13) and other relevant policy considerations, in those regards:

- a) Is Policy GSS06, justified, effective and consistent with national policy, including in terms of the development expected to be delivered at Colindale Underground station, the new local centre at Colindale Gardens, the Grahame Park Estate, the Public Health England site and Middlesex University's Platt Hall?

Yes, the Colindale Growth Area is an important regeneration opportunity, where the Council has a leading role in creating a more sustainable place, reducing reliance on the car as a mode of travel whilst improving the opportunities for cycling and walking as well as access to public transport. With the support of Opportunity Area status in the London Plan and the adoption of the Area Action Plan in 2010 (Core_Gen_11), Colindale is now a well-established and vibrant residential area of choice for thousands of people and development here continues to make the single largest contribution to housing growth (including affordable housing) in the Borough. With a

development pipeline up to 2036, Colindale will continue to grow and will maintain its position as one of the biggest growth areas in North London.

- b) Is it necessary to delete Site 9 in light of flood risk considerations and/or to reflect compatibility with improvements to access between Colindale Park and Rushgrove Park, and what changes would be required to the policy as a result?

Yes, deletion is necessary. The Council accepts the need to remove Site 9 on the basis of the Sequential and Exceptions Test (EB_GI_18). This is set out in the Proposed Modifications (EXAM4) at MM329. On balance, it is recognised that the significant flood risk and accessibility issues outweigh the benefits of housing on this site. Despite the removal of this site the Council will still seek improvements to access between Colindale Park and Rushgrove Park as part of the overall package of improving sustainable connectivity within Colindale.

- c) Would any of the Councils proposed modifications to Policy GSS06 be required to achieve soundness?

The Council considers that the modifications help improve the soundness of the Local Plan.

- d) Would any further changes to the policy be necessary to ensure that it would be positively prepared, justified, effective, consistent with national policy and in general conformity with the London Plan?

The Council refers to the response above.

- 12) In terms of the approach of the Plan to defining District Town Centres (Policy GSS08):

- a) How were the boundaries identified and what factors were taken into account in defining the potential for Barnet's Town Centres (beyond Cricklewood and Edgware) to deliver a minimum of 5,400 new homes?

Barnet's Town Centre boundaries were established through the 2012 Local Plan. These have not been changed through this draft Local Plan. A similar approach was undertaken to that of Growth Areas (as outlined in the response to Q6e) in defining the potential of Town Centres to deliver sustainable growth.

- b) Is it necessary to delete Site 6 in light of flood risk considerations and what changes would be required to the policy as a result?

Yes, deletion is necessary. The Council accepts the need to remove Site 6 on the basis of the Sequential and Exceptions Test (EB_GI_18). This is set out in the Proposed Modifications (EXAM4) at MM324. On balance, it is recognised that the significant flood risk outweighs the benefits of residential led development on this town centre site. No changes are required to GSS08 as the draft Local Plan can still demonstrate capacity for 44,000 new homes. This

provides a sufficient buffer against the London Plan minimum requirement to deliver 35,460 new homes.

- c) Would any further changes be necessary to ensure that it is justified, effective, consistent with national policy and in general conformity with the London Plan?

No.

- 13) Policy GSS09 relates to Existing and Major Transport Infrastructure, in that regard:

- a) Are the Council's proposed modifications necessary for soundness?

The Council considers that the modifications help improve the soundness of the Local Plan.

- b) Is the policy sufficiently clear as to the forms of development that would be permitted to come forward independent of the WLO and Crossrail 2 planned transport improvements and any safeguarding of land and/or contributions to funding arrangements that may be necessary?

Yes. In respect of the West London Orbital the Council refers to its response to Q9a. TfL's SoCG (EB_SoCG_12) continues to support the long term prospects for Crossrail 2 and the benefits it will bring to New Southgate and Barnet. TfL have also highlighted that there will be a future revision to the safeguarding of the New Southgate spur. Details are yet to be confirmed.

- c) Are any further modifications required for effectiveness in the above respects or to ensure consistency of identification of existing transport hubs that are not linked to town centres?

No - the Council refers to its response to 13a.

- d) Would any other changes be necessary to ensure that it is justified, effective, consistent with national policy and in general conformity with the London Plan?

No - the Council refers to its response to 13a.

- 14) Is the Plan sufficiently clear in terms of any designated neighbourhood areas in Barnet and is it positively prepared, justified and consistent with national policy if the strategic policies do not set out a housing requirement for those designated neighbourhood areas?

Yes. Barnet has only one designated neighbourhood area (West Finchley, adopted in 2021) (Core_Gen_30). The West Finchley Neighbourhood Plan has not sought to increase nor limit housing delivery and does not have a designated housing requirement. No other designated Neighbourhood Forums exist at present in the

Borough. The Council considers that strategic borough wide policies provide a sufficient positive framework for ensuring that neighbourhood areas support the delivery of homes.

- 15) To what extent does the methodology applied to site selection and the spatial strategy focus for growth provide the necessary justification for each site chosen (having regard to other sites and the IIA)? Was the methodology used to assess and select the proposed sites in the Plan appropriate?

The Council refers to Sections 2 and 3 of the Housing Technical Paper (EXAM 1B) which sets out the justification for the selection of preferred sites.

- 16) Is the Plan approach and its focus of growth and site allocations, justified in departing from the 800m distance and existing or planned public transport access levels (PTALs) 3 to 6, set out by Policy H1 of the London Plan which seeks to optimise the potential for housing delivery on all suitable and available brownfield sites?

Yes. The Council refers to Appendix 4 of the Housing Technical Paper (EXAM 1B). Appendix 4 sets out how the Plan is addressing each requirement of London Plan Policy H1. The Council considers that 400m is a reasonable walking distance for Barnet reflecting the Borough's context as an outer London location with generally lower levels of public transport accessibility. The Council notes that 400 metres walking distance is considered an appropriate walking distance for London Plan Policy E9 – Retail, Markets and Hot Food Takeaways. The Council also highlights that departing from the 800m distance in the London Plan has not been an issue raised with the GLA and has not been subject to a non-general conformity matter from the Mayor.

- 17) Did the methodology applied to site selection and the focus for growth in the spatial strategy take full account of flood risk and apply a sequential, risk-based approach to the location of development? In particular:
- a) Is there sufficient evidence to support the Plan approach that there are no reasonably available sites in areas at lowest risk of flooding so as to justify the allocation of sites in areas known to be at higher risk either now or in the future from any form of flooding (i.e. those identified in Flood Zones 2 and 3)?

Yes. The Council refers to paras 2.17 and 2.18 of the Housing Technical Paper (EXAM 1B) in terms of how flood risk has been considered in bringing site proposals forward. The consideration of sites in areas at lower risk of flooding is largely addressed in the earlier paras of section 2 of the Housing Technical Paper (EXAM 1B) and Appendix 3 of the Site Selection Background Report (Core_Gen_07). These both explain the site selection process and that of those promoted via various calls for sites only those in Green Belt Metropolitan Open Land or recognised importance for nature conservation were excluded.

- b) Are the Council's proposed modifications to explain how the Sequential Test has influenced the Spatial Strategy sufficient to achieve soundness or would further changes to the Plan be required?

An emerging SoCG with the Environment Agency is expected to confirm that proposed modifications (MM254, MM255) with regards to the Sequential Test are sufficient. The Council expects that this will be signed off prior to the EIP Hearings.

- 18) Has the cumulative impact of all allocated sites, and sites within other policies in the Plan, on the highway network and other infrastructure such as telecommunications, security, waste management, water supply and wastewater, and facilities for education and health been taken into account in the Plan? What evidence demonstrates this and what mitigation will be put in place to ensure that any adverse impacts are minimised?

Yes. The Plan is supported by the Infrastructure Delivery Plan (IDP) (2021) (Core_Gen_19). The IDP is a 'living' document that provides necessary information on the physical, green and social infrastructure that is required to support the growth needs of the Borough. The document provides the current position on existing infrastructure and the quantum, type and location of infrastructure provision that needs to be provided in order to accommodate the levels of growth envisaged over the local plan period.

With regards to education the IDP reflects on page 20 that forecasts currently show that Barnet has sufficient secondary places to meet the demand through to the end of this decade. In the primary phase, there is significant variation across the borough, with evidence of falling school places. The IDP highlights (page 20) the actions the Council is undertaking in addressing unpredictable population changes with regards to school rolls.

In terms of health facilities the IDP (page 27) sets out an overview of NHS Barnet CCG future plans for investment in primary care infrastructure. The Council also acknowledges that space for health facilities could more easily be accommodated as part of mixed use schemes when necessary. Reference is made within the Annex of the IDP to creating flexible work/retail/community space within Town Centres.

The Council has recently adopted a new charging schedule in April 2022 (CS106_06) raising the level of CIL rates to align with the cumulative impact of growth and consequential impact on the level of infrastructure required to support this. Further mitigation will need to be negotiated through developer contributions (either via CIL or s106); the availability of grant funding; and effective partnering with infrastructure providers.

- 19) Is the identification of a broad location for a new Regional Park within designated Green Belt or Metropolitan Open Land as set out in Policies BSS01 and GSS13, justified, consistent with national policy and in general conformity with the London Plan?

Yes. The Council refers to the Parks and Recreation Technical Paper (EXAM 1E) with regards to the new Regional Park within Barnet, and highlights support from the All London Green Grid Supplementary Planning Guidance (2012) (EB_GI_05).

- 20) Is there sufficient evidence to justify the identification and delivery of 3 new destination hubs for sport and recreation at Barnet and King George V Playing Fields, Copthall Playing Fields and Sunny Hill Park, and West Hendon Playing Fields, and would the approaches of Policies BSS01 and GSS13 be effective and consistent with national policy (for example, in terms of Green Belt) in ensuring their delivery during the Plan period? Would the Council's suggested proposed modification be necessary for soundness and/or are any other changes required?

Yes. The Council refers to the Parks and Recreation Technical Paper (EXAM 1E) with regards to the 3 new destination hubs. Para 2.15 highlights how masterplans for all 3 hubs have been progressed and cross-refers to the Council's Improvements and Investments in Barnet's Parks and Open Spaces (EB_GI_39) evidence base document for further details on the programme.

- 21) The Plan makes specific reference to a forthcoming West London Alliance study relating to employment and commercial uses which would take account of, amongst other things, the recent changes to the Town and Country Planning (Use Classes) Order 1987 (Use Classes Order), permitted development rights, the UK's exit from the European Union and the implications of the COVID19 pandemic:
- a) When is that evidence expected to be published?

The Council does not expect this evidence to be published until late 2022.

- b) Would the relevant strategic policies (and non-strategic policies where applicable) incorporate sufficient flexibility to account for any implications of it?

The Council does not intend utilising this evidence, at this late stage, for the Local Plan. The Council will, subject to careful evaluation of the evidence, consider a number of options. This might for example include the introduction of an Article 4 Direction to safeguard existing employment locations.

- c) If not, how would the Plan achieve soundness in that respect, and should it include a process and/or trigger for an early review if it results in significant changes in circumstances relative to strategic policies or requirements?

Reference to the West London Alliance study has been highlighted to illustrate the difficulties local planning authorities have in responding to the Government's fundamental review of the Use Classes Order in 2020 and changes to the General Permitted Development Order in 2021 as shown on the Planning Portal (LP_LEG_07). These changes have widened permitted development, allowing conversion from Use Class E to residential, therefore making it more difficult to proactively manage commercial floorspace. It will

be important to carefully monitor impacts / consequences of the UCO changes over the next few years and then consider the extent to which the Council may wish to subsequently revise the Local Plan, taking into consideration need to undertake a review of all the plan's policies within 5 years of adoption.

