

Statement of Common Ground between
London Borough of Barnet and the Greater London Authority
March 2022

1 Introduction

- 1.1.1 This Statement of Common Ground (SoCG) addresses the strategic planning matters specific to London Borough of Barnet (LB Barnet) and the Greater London Authority (GLA). There are separate SoCGs with Transport for London (Spatial Planning) and Transport for London (Commercial Development).
- 1.1.2 This SoCG ensures that the requirements set out in the National Planning Policy Framework (NPPF) have been met. The NPPF states, “Local planning authorities are under a duty to cooperate with each other, and with other prescribed bodies, on strategic matters that cross administrative boundaries.”
- 1.1.3 The purpose of the SoCG is to document the strategic matters being discussed and the progress in cooperating to address them. It focusses on areas of agreement or disagreement between both parties on strategic matters. The document is intended to be ‘live’, any updates to this document will be produced as matters progress and agreement is reached on any outstanding issues. It therefore includes details on mechanisms for review and updating. The SoCG also forms part of the evidence to demonstrate compliance with the ‘duty to cooperate’.
- 1.1.4 LB Barnet and the London Plans Team of the GLA have a good working relationship, with regular contact maintained mainly through specific duty-to-cooperate meetings, London Plan and Supplementary Planning Guidance consultations, London DataHub working group and pan-London level groups such as the Planning Officers Society, Association of London Borough Planning Officers (ALBPO) and London Councils.

2 Strategic Geography

- 2.1.1 The Mayor of London produces the London Plan, which is the statutory spatial development strategy for the Greater London area. The first London Plan was adopted in 2004, with later versions being adopted in 2008, 2011, 2016 and the current extant version adopted on 2 March 2021. All Development Plan Documents in London must be in general conformity with the London Plan under section 24 (1)(b) of the Planning and Compulsory Purchase Act 2004.
- 2.1.2 The Mayor’s representation on the Regulation 19 draft Barnet Local Plan (dated 9th August 2021) stated broad support for the draft Local Plan policies where they align with relevant London Plan policies and confirmed that the draft Local Plan is in general conformity with the London Plan 2021,
- 2.1.3 The Mayor’s response on the draft Local Plan also outlined a few policy areas where LB Barnet should consider a small number of further revisions so that the draft Local Plan is consistent with the London Plan. This SoCG focuses on the strategic issues highlighted by the Mayor in the response to the Regulation 19 draft Local Plan.

3 Strategic Matters

This section sets out the factual position regarding strategic matters.

3.1 Housing

- 3.1.1 **Housing Target** - The Mayor has welcomed the draft Local Plan commitment to meeting the London Plan’s 10-year housing target of 2,364 homes per year and delivering this housing growth within Opportunity Areas, Growth Areas and District Town Centres.
- 3.1.2 *LB Barnet welcomes the Mayor’s support for the housing target as set out in the Local Plan. In September 2021 LB Barnet published a new Local Development Scheme which sets out a timeframe for new planning documents which will further help deliver good growth. In 2022 LB Barnet intends to initiate a review of the 2005 Planning Development Framework for Brent Cross and Cricklewood Regeneration Area and will welcome the contributions of the GLA to the production and adoption of*

the new SPD by 2024. LB Barnet also wants to highlight the forthcoming production of the Colindale and Burnt Oak Masterplan in 2022 which will support the continued implementation of the Colindale Area Action Plan and establish future priorities for healthy and connected places, place-based initiatives.

- 3.1.3 **Small Sites** - The Mayor has noted that the draft Local Plan expects to deliver 340 new homes per year from Small Sites. This is below the London Plan delivery target of 434 new homes per annum. The intention to prepare a specific Design Code for Small Sites as part of the Sustainable Design Guidance SPD is supported. In the interim the borough should refer to the GLA's draft Design and Characterisation LPG suite, including the Small Sites Design Codes LPG. The Mayor would like to see the 340 new homes per year from Small Sites expressed as a minimum, and will look at the Sustainable Design Guidance SPD to ensure that Barnet is optimising sites (in line with policy D1, D3, H2, and London Plan Guidance).
- 3.1.4 *LB Barnet welcomes the Mayor's support for the Local Plan's approach on Small Sites which are making an important contribution to housing delivery. LB Barnet will produce a suite of clear and specific design parameters for development of small sites. This will be set out in the new Sustainable Design and Development Guidance SPD which will be produced in 2022 to supplement relevant Local Plan Policies and will be adopted following the adoption of the Local Plan. The SPD will be guided by the GLA's draft Design and Characterisation LPG suite, including the Small Sites Design Codes LPG. Modifications will be made to the Local Plan to reflect the new title of the SPD and to express the Small Sites per annum figure of 340 new homes per annum as a minimum.*
- 3.1.5 **Affordable Housing** - The Mayor stated that the draft Local Plan should mention the 50% affordable housing threshold for public sector land and loss of industrial land or reference the relevant London Plan policies, as these affordability levels could potentially be viable. This would also be useful, as some explanations within the draft plan lack clarity without such references. Para 5.4.10 also appears to be inconsistent with LP2021 Policy H5 C in that all the criteria must be met to follow the Fast Track Route.
- 3.1.6 *LB Barnet agrees to make changes to Policy H1 – Affordable Housing and the supporting text to ensure that the draft Local Plan's approach on affordable housing is consistent with the London Plan 2021. These will be expressed as modifications to the Local Plan.*
- 3.1.7 **Gypsy, Traveller and Travelling Showpeople** – The Mayor acknowledges the conclusions of the West London Accommodation Assessment (2018) which found no current or future need in Barnet for pitches and plots, and LB Barnet's willingness to work with the Mayor on the London-wide Gypsy and Traveller accommodation needs assessment. The Mayor requests in the interim that LB Barnet works with adjoining boroughs to consider if sites in Barnet could contribute to meeting their identified needs.
- 3.1.8 *LB Barnet's position is that it cannot demonstrate an objectively assessed need for pitches and plots. LB Barnet is progressing a series of Statements of Common Ground with key strategic stakeholders. The cross-boundary strategic issue of Gypsies and Travellers is set out in Statements of Common Ground with neighbouring boroughs. Through such platforms requests from neighbouring boroughs, to help address their accommodation needs for gypsies, travellers and travelling showpeople, can be made.*

3.2 Tall Buildings

- 3.2.1 **Very Tall Buildings** - The Mayor notes the definition of 'very tall' buildings of 15 storeys or more in Policy CDH04 and would welcome clarification on whether the appropriate locations for 'very tall' buildings are the same as for tall buildings, or are a sub-set of those locations.
- 3.2.2 *LB Barnet welcomes these helpful comments from the Mayor with regards to strategic tall building locations identified in Policy CDH04. Locations for Very Tall Buildings of 15 storeys or more are a subset of Tall Building Locations. Very Tall buildings will not be permitted unless exceptional circumstances can be demonstrated, which include appropriate siting within an Opportunity Area or*

Growth Area. This policy will be changed to further clarify that strategic locations where very tall buildings may be appropriate (namely Opportunity or Growth Areas) are a subset of the strategic locations identified by Policy CDH04a.

- 3.2.3 The GLA have requested that LB Barnet set appropriate heights for Tall Buildings (and Very Tall Buildings of 15 storeys or more) in line with Part B 2 London Plan Policy D9. LB Barnet consider that a design led approach that helps to shape proposals for Very Tall Buildings is the most appropriate way to address this. This specific issue remains a matter of disagreement between the GLA and LB Barnet.
- 3.2.4 LB Barnet agrees to change Policy CDH04 and supporting text to clarify the role of the SPD in amplifying policy. The purpose of the new SPD retitled as 'Designing for Density' has been further clarified in LB Barnet's revised Local Development Scheme (September 30th 2021). The Designing for Density SPD will provide detailed parameters to Local Plan policy application to provide a well-considered response to achieving higher density development that takes account of best practice and guidance in optimising land use and development capacity to deliver high quality design. The remit of the Designing for Density SPD will be guided by the GLA's draft Design and Characterisation LPG suite, in particular the Characterisation and Growth Strategy LPG and Optimising Site Capacity – A Design Led Approach LPG. It will also be shaped by the progress of the EIP helping to get an appropriate balance between policy and more detailed guidance. Draft SPD is expected to be published for public consultation in early 2023 and adopted later that year.

Proposed Modifications to Policy CDH04(b)

Tall buildings of 15 storeys or more ('Very Tall') will not be permitted unless exceptional circumstances can be demonstrated, which include appropriate siting within an Opportunity Area or Growth Area. **Very Tall Buildings are not acceptable outside an Opportunity Area or Growth Area.**

Proposed Modifications to Policy CDH04(d)

The Council will produce the Designing for Density SPD which will set out, within the identified strategic locations, the parameters for tall and very tall buildings **how the Council will assess the appropriateness of tall building proposals. This will address the impacts detailed in London Plan Policy D9C, setting out site-specific and character considerations including typologies related to uses, views, form, public realm, safety, amenity and microclimates.**

Proposed Modifications to final para of CDH04

The potential for Tall Buildings are highly constrained in Barnet and represent only one model for delivering higher densities and maximising brownfield sites. Therefore, the Council will carefully assess the design and townscape qualities of proposals that may otherwise gradually erode the Borough's predominant suburban and historic character.

Proposed Modification to Site Proposal 30 (site requirements and development guidelines) as follows

Finchley Church End Town Centre is a strategic location. ~~for tall buildings of 8 storeys or more.~~ Tall buildings may be appropriate within the boundaries of the Town Centre ***however all tall building proposals will be subject to a detailed assessment of how the proposed building relates to its surroundings (with height of neighbouring buildings being of foremost consideration) responds to topography, contributes to character, relates to public realm, natural environment and digital connectivity.***

This text clarification '***however all tall building proposals will be subject to a detailed assessment of how the proposed building relates to its surroundings (with height of neighbouring buildings being of foremost consideration) responds to topography, contributes to character, relates to public realm, natural environment and digital connectivity***' will also be included for the following sites where tall buildings may be appropriate:

- Site No's. 5 (Edgware Hospital), 7 (Beacon Bingo), 10 (Douglas Bader Park Estate), 11 (KFC/ Burger King), 12 (McDonalds), 13 (Public Health England), 14 (Sainsburys The Hyde), 27 (Edgware Town Centre), 28 (Edgware Underground and bus stations), 54 (Barnet House), 57 (309-319 Ballards Lane), 58 (811 High Rd & Lodge Lane car park), 59 (Central House), 60 (Finchley House), 61 (Tally Ho Triangle), 62 (Tesco Finchley), 63 (Philex House), 64 (744-776 High Rd), 66 (East Wing), 67 (Great North Leisure Park).

3.3 Town Centres

- 3.3.1 **Brent Cross** - The Mayor notes that Policy GSS02 and its supporting text set out a long-term strategy for the Brent Cross Growth Area, including how it can support the creation of a new Metropolitan Town Centre at Brent Cross Town. This supports London Plan Policy SD8 and the identification of Brent Cross as a future Metropolitan Town Centre.
- 3.3.2 *LB Barnet welcomes the support for the Local Plan's approach on Brent Cross and reiterates its intention to review the 2005 Planning Development Framework for Brent Cross and Cricklewood Regeneration Area. LB Barnet looks forward to working with the Mayor on the review of the Framework.*

3.4 Opportunity Areas

- 3.4.1 **New Southgate Opportunity Area** - The Mayor notes that the Plan includes specific policies for the Opportunity Areas identified in the London Plan and supports LB Barnet's intention to work with the adjoining boroughs on a planning framework for New Southgate. The Mayor highlights that in order to be consistent with London Plan policy D9 – Tall Buildings, the boundary of any areas in New Southgate that are appropriate locations for tall buildings must be set out in a development plan document. The GLA and TfL would be happy to work with the boroughs on scoping a potential planning framework for the area.
- 3.4.2 *LB Barnet welcomes the support and looks forward to working with the GLA and TfL on scoping a potential planning framework for New Southgate Opportunity Area.*

3.5 Transport

- 3.5.1 **West London Orbital** - The Mayor's notes that the plan supports the West London Orbital (WLO) rail scheme, setting out areas where this scheme could be a catalyst for growth. The plan could adopt a more cautious wording about its delivery to reflect the fact that the scheme remains unfunded at the present time.
- 3.5.2 *LB Barnet has agreed in the draft SoCG with TfL Spatial Planning to use more cautious wording with regard to the delivery of the WLO. Proposed wording will be agreed through the SoCG with TfL Spatial Planning.*
- 3.5.3 **Car Parking Standards** - The parking standards in the Local Plan conform with the London Plan and this is welcomed. The accompanying text and site proposals will need to be updated to reflect this approach. In particular, references to parking 'requirements' or 'needs' should be further qualified and related only to disabled persons parking and operational parking. Although the reliance on assessing orbital travel has been modified slightly, TfL continues to have concerns about such a connectivity measure that could be used inappropriately and also open to challenge.
- 3.5.4 *LB Barnet welcomes confirmation from the Mayor that the residential parking standards in the draft Local Plan are in conformity with the London Plan. LB Barnet are addressing the concerns of TfL spatial planning in a separate draft SoCG with regard to references to parking requirements within the Local Plan text and specific site proposals.*

4 Governance Arrangement

This statement has been informed by on-going engagement between the parties. This statement of common ground is a live document and will be reviewed on a regular basis, informed by continued communication between the parties through meetings, statutory consultation at key plan making stages and electronic communication.

Signatories

All signatories agree that this statement is an accurate representation of areas of agreement and disagreement between the two parties

Signed:



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Date: 31/03/2022

Signed:



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Date: 30/3/2022