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DRAFT BARNET LOCAL PLAN – REG 19 CONSULTATION REPRESENTATIONS - AUGUST 2021

1 Introduction

- 1.1 These representations are made by Quod on behalf of Regal JP North Finchley Limited (“Regal JP”) who has an interest in a number of sites across North Finchley and in particular, the realisation of the Council’s aspirations for the Town Centre as set out in the North Finchley Town Centre Framework Supplementary Planning Document (February 2018) (“the SPD”).
- 1.2 Regal JP is committed to working alongside the Council to deliver coordinated regeneration across North Finchley. However, the challenges involved in delivering the scale of regeneration envisaged should not be underestimated and it is, therefore, critical that the Local Plan provides a sufficiently clear policy framework to support and facilitate the growth required.
- 1.3 Whilst Regal JP is supportive of Barnet’s approach to growth within North Finchley, as drafted specific aspects of the Local Plan are considered to be technically unsound – albeit we consider they can be readily addressed through careful wording updates.
- 1.4 The NPPF requires that Local Plans be positively prepared and contain policies that are clearly written and unambiguous, such that it is evident how a decision maker should react to development proposals (para 16).
- 1.5 The growth planned at North Finchley forms a key part of the overall spatial strategy for the Local Plan, but the draft policies do not provide sufficient clarity on the intent for change across the town in seeking to meet evidenced growth needs. Regal JP remain fully supportive of the Council’s growth plans at North Finchley and is confident that the matters raised in these representations can be addressed through selective refinements to the draft Local Plan. Regal JP look forward to continued engagement with the Council.
- 1.6 Regal JP’s representations to the draft Local Plan are made in this context and are set out below.

2 Representations

Draft Policy GSS01 (Delivering Sustainable Growth) & GSS08 (Barnet’s District Town Centres)

- 2.1 Chapter 4 sets out the Growth and Spatial Strategy for the Borough. Draft Policy GSS01 identifies 6 Growth Areas that are considered distinctive locations with good public transport accessibility and a supply of brownfield and underused land that offer opportunities for inward investment.
- 2.2 In total the Growth Areas are planned to deliver 23,300 homes, ranging from 9,500 homes at Brent Cross Growth Area to 1,400 homes in Cricklewood and 1,500 homes in Mill Hill East. Each of these Growth Areas has its own policy which sets out the specific matters that need to be considered in planning for growth in each location.



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- 2.3 Draft Local Plan Policy GSS08 supports investment and revitalisation across the Borough's District Centres, including North Finchley.
- 2.4 Whilst these priorities are supported, given the scale of change and growth planned by the Council at North Finchley (as evidenced in the adopted SPD) we do not consider that a general town centre policy gives enough clarity to enable the step-change in growth required.
- 2.5 The SPD notes that North Finchley is one of the Borough's largest centres and sets out the scale of ambition proposed across the town in order to facilitate successful and long last revitalisation.
- 2.6 Indeed, the scale of change proposed at North Finchley is larger than some of the smaller Growth Areas identified in the Local Plan, and represents over a third of the total housing growth envisaged across all District Centres.
- 2.7 To ensure the Local Plan is soundly based, with a positively prepared strategy, that is effective and deliverable, Regal JP suggest that a specific policy be prepared for North Finchley. As required by the NPPF the policy should provide a clearly written and unambiguous explanation of the scale of change proposed across the Town Centre, highlighting the specific matters that need to be considered in assessing any applications proposals, and importantly the infrastructure required to support coordinated revitalisation.
- 2.8 Building on the SPD, Regal JP is currently investigating in more detail the opportunities that exist across the Town Centre. Regal JP would welcome the opportunity to share this emerging evidence with the Council and discuss in more detail a bespoke North Finchley policy to ensure a sound plan is advanced to Examination.

Draft Policy GSS09 (Existing and Major New Transport Infrastructure)

- 2.9 Draft Policy GSS09 highlights the potential for growth at existing public transport hubs with high PTAL ratings. Whilst this strategy is to be encouraged, it is not clear how this policy, and its associated criteria, relate to other growth policies eg Policy GSS08, which typically include public transport hubs but with different assessment criteria identified.
- 2.10 Clarity should be added to the policy or supporting text to confirm the relationship of Policy GSS09 with other policies within the draft Local Plan.

Draft Policy GSS11 (Major Thoroughfares)

- 2.11 Draft Policy GSS11 identifies that redevelopment along Barnet's main road corridors can provide a significant supply of sites for growth. It is recognised that these corridors do offer opportunities to support growth, benefiting from the public transport facilities that run along them. However, the characteristics of these corridors is variable, in some cases offering more limited access to services and facilities, especially outside of town centres.
- 2.12 As such, we suggest that the promotion of increased density and tall buildings should be focussed to where these corridors pass through town centres, and that outside of town centres the scale and density of development needs to be carefully considered on a case by case basis.



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Draft Policy CDH04 (Tall Buildings)

- 2.13 Draft Policy CDH04 recognises that tall buildings (8 to 14 storeys) are appropriate in strategic locations, including North Finchley town centre. Regal JP support North Finchley being identified as a potentially appropriate location for tall buildings, and the recognition of the contribution that carefully designed tall buildings can make to the delivery of sustainable growth.
- 2.14 The policy explains that tall buildings of 15 storeys or more ('Very Tall') are not to be permitted unless exceptional circumstances can be demonstrated. The policy provides an example being the appropriate siting within an Opportunity Area or Growth Area.
- 2.15 District Centres should also be specifically referenced, especially as some Growth Areas represent smaller town centres than District Centres such as North Finchley, they are planned to accommodate a smaller scale of growth than District Centres and have a lower public transport accessibility rating.
- 2.16 Consistent with Policy D9 of the London Plan, the Council should carefully consider the wording of this policy to ensure it correctly identifies the locations that may be suitable for tall buildings. The Council can of course rely on the fact that any tall building will need to satisfactorily address the criteria set out in the policy, and therefore sufficient controls are in place to refuse unacceptable proposals.

Annex 1 – Schedule of Site Proposals

Sites

- 2.17 Annex 1 sets out a schedule of sites allocated for development, which in respect of North Finchley, align with the Key Opportunity Sites identified in the SPD. It is noted however, that there are other sites identified within the SPD (i.e. 'Parade Enhancement Areas' and 'Other Opportunity Areas') which represent significant opportunities for regeneration but which are not allocated in the draft Plan. We would therefore request further discussion with the Council in respect of these sites.

Indicative Residential Capacity

- 2.18 Annex 1 provides indicative redevelopment capacities for allocated sites which are calculated using a density matrix approach based on PTAL. Whilst these figures are noted as 'indicative', the reliance on PTAL is not supported as it fails to consider the future increase in accessibility which is likely to be facilitated through the policies of the Local Plan. For example, the infrastructure improvements planned for North Finchley are likely to promote an increase in PTAL levels, which would create further opportunities for optimising densities.
- 2.19 As such, we are concerned that the inclusion of these figures fails to respond to the requirements of the new London Plan which removes the density matrix and instead seeks to optimise outcomes using a design-led approach.
- 2.20 We therefore consider that additional wording should be added to each of the North Finchley site allocations which clarifies that the Indicative Residential Capacities do not represent targets for development, and that appropriate residential capacity will be assessed on a case-by-case basis against the design policies within the Local Plan.



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Site Requirements and Development Guidelines

2.21 Annex 1 provides site requirements and development guidelines for each site. In most cases these represent general good practice urban design principles. However, in some cases very specific guidelines are suggested eg development heights. It is unclear what evidence base material is driving these specific guidelines, but we consider that the Local Plan should not prematurely define height and density. Development density and design should be optimised through a design-led approach as required by the London Plan and other policies within the draft Local Plan. We therefore request that the content of the site requirements and development guidelines for each site in North Finchley be reviewed.

Other

2.22 In addition to the specific North Finchley policy matters raised above, Regal JP would also like to make the following further points:

- Policy GSS12 relates to the redevelopment of surface level car parks. Regal JP support the thrust of the policy which seeks to optimise the use of underutilised land. The policy sets out three criteria, the first of which is that the design ‘preserves’ the amenity of neighbouring uses. We question whether ‘preservation’ is the correct test for this policy, for example if building set back distances were reduced as a result of redevelopment that could fail the ‘preservation’ test despite the set back distances being consistent with wider policies/guidance. As such we propose ‘preserves’ be replaced with ‘has regard to’ the amenity of neighbouring uses;
- Policy TRC01 deals with sustainable and active travel. Criteria bii states that the Council will “*Refuse proposals that have a negative impact on highway safety or on the road network that cannot be appropriately mitigated*”. This wording is not consistent with paragraph 111 of the National Planning Policy Framework which recognises that some impacts may be acceptable and only where impacts are ‘unacceptable’ or ‘severe’ should that result in refusal on highway grounds. The policy should be updated accordingly;
- Similarly criteria ci of Policy TRC01 states that for all major development the Council will require “*A Transport Assessment setting out how the proposal mitigates any negative impact on the existing transport network and incorporates sustainable transport initiatives for cycling, walking, car clubs and electric vehicle charging*”. Paragraph 111 of the National Planning Policy Framework is clear that only where highway impacts are ‘unacceptable’ or ‘severe’ should permission be withheld. Indeed the National Planning Policy Framework anticipates that there may be instances where there will be highway impacts but they may be considered to be acceptable when assessing the benefits of a development. As a result it is not necessarily appropriate for a Transport Assessment to mitigate ‘any negative impact’ and the wording should be amended accordingly; and
- Policy HOU4 covers specialist housing including older persons accommodation. Regal JP support alternative types of living accommodation, such as those in this policy, which should be directed, in part, to town centre locations given the access to services and facilities.



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Summary

- 2.23 In summary, it is important that the emerging Plan contains policies that support and facilitate planned growth, in particular in those locations where significant growth is to be accommodated.
- 2.24 Whilst we consider the draft Local Plan to be technically unsound as a result of the issues raised above, we are confident that this can be rectified through selective alterations. Regal JP would welcome the opportunity to discuss these matters in more detail with the Council.
- 2.25 We trust that you will fully consider our client's comments and ensure that any emerging policy does not prevent the successful regeneration of North Finchley from being realised.