

BARNET DRAFT LOCAL PLAN – PUBLICATION VERSION CONSULTATION (REGULATION 19) REPRESENTATION

AUGUST 2021

1. Introduction and Background

- 1.1. St William is a joint venture between the Berkeley Group and National Grid Property ('National Grid'), which was formed in 2014. The partnership combines National Grid's extensive portfolio of surplus brownfield sites across London and the South East with the Berkeley Group's design expertise and proven track record of delivery to create high-quality residential and mixed use developments.
- 1.2. St William regenerates and transforms derelict former gasworks sites and as part of the Berkeley Group, our driving purpose is to create high quality homes, strengthen communities and improve people's lives through fantastic placemaking. The pandemic restrictions have further highlighted the importance on the quality of homes and their surrounding spaces, ensuring that they are sustainable, inclusive to all and accessible to local amenities and key social infrastructure.
- 1.3. Former industrial sites have a critical role to play in the delivery of needed homes in London. The draft London Plan identifies former utilities sites (including gasworks) as a strategic brownfield source to deliver housing, reflecting the NPPF's emphasis on making the most effective and efficient use of brownfield land for housing supply.
- 1.4. Since the formation of the JV, St William has been granted planning approval for 13 former gasworks sites, of which just under 5,000 are currently under construction. These consents include Leven Road Gasworks (2,800 homes), Battersea Gasworks (955 homes), Clarendon Gasworks (1,714 homes) and Fulham Gasworks (1,843 homes).
- 1.5. Bringing forward these former gasworks sites for the delivery of homes is very challenging as they are technically very complex, it involves significant (often upfront) levels of investment and comes with high developer risk; very few developers have the capacity, expertise or risk appetite to regenerate such sites.
- 1.6. As part of the JV, St William have an interest in the former St William have an interest in the former gas holder site located 21 Albert Rd, New Barnet, EN4 9SH, highlighted in the draft plan as New Barnet Gasholder Site No 21. The site is a redundant brownfield Gasworks site and in line with the NPPF is suitable and available for housing delivery, helping to meet the Council's housing growth objectives.

2. Representation

- 2.1. Following previous written representations submitted to the Council in March 2020, St William welcomes the opportunity to work with Barnet Council as it undertakes further consultation on its draft Local Plan 2020 (proposed submission stage, Regulation 19) and we actively seek engagement with the Council's policy team going forward.

- 2.2. It should be noted that these representations are made solely on behalf of St William, notwithstanding any representations made by other divisions of the Berkeley Group or National Grid.
- 2.3. As part of the Berkeley Group, St William focuses on transforming sites into exceptional places where sustainable communities thrive and create homes and neighbourhoods on this basis. We therefore support the Council's overarching themes and objectives of the draft Local Plan, particularly those that emphasise high quality homes and placemaking.

Growth, Spatial Strategy and Housing Numbers

- 2.4. As stated at Regulation 18 stage, the general approach to delivering sustainable growth by focussing development within growth areas, district town centres and around transport hubs is supported and the presumption of brownfield first is fully supported. Notwithstanding this, it is noted that the expected new homes delivery as set out in Table 5, indicates a very small proportion of overall housing growth to occur within district town centres.
- 2.5. Draft policy BSS01 sets a figure for the Borough to achieve a minimum of 35,460 new by 2036; whilst it is understood that this is a minimum target, to ensure draft policy BSS01 meets the soundness tests of the NPPF this figure should reflect the minimum 46,000 as set out in draft policy GSS01 and which is based on the evidence base, the SHMA (2018).
- 2.6. Barnet's SHMA identifies the Full Objectively Assessed Need (OAN) for housing in Barnet as 3,060 dwellings per year. This equates to a need of 46,000 new homes over the lifetime of the Local Plan. As set out in our response to previous consultations, the 2018 SHMA figure has not followed the Government's standard methodology for calculating local housing need. Table 4 of the draft Local Plan indicates that if this was applied, Barnet's OAN would be 5,361 homes per annum / 80,415 homes across the plan period.
- 2.7. Paragraph 61 of the NPPF (2021) states that '*To determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning guidance – unless exceptional circumstances justify an alternative approach.....In addition to the local housing need figure, any needs that cannot be met within neighbouring areas should also be taken into account in establishing the amount of housing to be planned for.*'
- 2.8. The Council's Housing Trajectory shows that the Council have not delivered 2,349 new homes in the past 15 years. The highest rate of completions achieved was 2,016 in 2012/13. From the 2021 figures published, Barnet has failed to meet the Housing Delivery Test during the last 3 years and is required to complete an Action Plan as a consequence. The current draft Local Plan does not provide an indication of how the backlog of delivery is incorporated into the housing figures.
- 2.9. Given the above, the housing targets are considered inconsistent with national policy and the OAN is questioned. On this basis, the plan has been not been positively prepared, current housing figures are not justified and therefore the plan fails a number of the soundness tests as set out in the NPPF.

- 2.10. In draft policy GSS01, the Council sets a reliance on small sites, paragraph 4.8.4 of the draft Local Plan states that '*The Local Plan small sites target provides a reliable source of windfall sites which contributes to anticipated supply and meets the requirements of the NPPF.*' Draft Policy GSS01 goes on to note '*Housing growth will come forward on small sites (5,100 homes) that are not designated in the Local Plan*', therefore these will all be windfall. Currently, it is not clear where this figure, which equates to 11% of the total housing target, is derived from. The NPPF indicates in paragraph 71 that '*where an allowance is made for windfall sites as part of anticipated supply, there should be compelling evidence that they will provide a reliable source of supply.*' Current evidence does not support the numbers attributed to small sites, rendering the Local Plan unsound on this basis.
- 2.11. In terms of where new homes are to be located, St William generally supports the spatial strategy, which directs development to brownfield sites, primarily within growth areas and town centre areas; however, the 5,100 new homes to come forward on small sites is not only 'unjustified' (as indicated above), it is disproportionate to the 5,400 expected to come forward within District Centres. It is considered that the Plan over relies on small windfall sites to meet housing targets, whilst under estimating the number of homes that could come forward within accessible and sustainable sites located in district town centres. On this basis, the Plan is not positively planned, justified or consistent with the NPPF.
- 2.12. The NPPF places an emphasis on the efficient and effective use of brownfield sites. The London Plan also seeks to optimise potential of suitable brownfield sites particularly those that are accessible and sustainable, including those located within town centre areas. With this in mind, as well as the issue of over reliance on small windfall sites, the council should work more closely with land owners so that the town centre figures can be increased to ensure that housing in these locations is optimised in line with both regional and national policy. The former gas holders site at Albert Road is an example of an accessible site located within the town centre where housing should be optimised. As a minimum, the Plan needs to emphasise that the 5,400 homes expected to be delivered in district centres is '*an absolute minimum*' and that development in these locations should be optimised where possible.
- 2.13. The draft Barnet local plan indicates that Town Centre Frameworks/SPD's will provide the basis for promoting positive change in town centres and ensure regeneration gets underway. The Plan should make clear that these will seek to optimise housing numbers within town centre locations. Within such frameworks or guidance, where the council wish to promote a mix of uses on a site, the need of any non-residential floorspace should be justified by robust evidence so that development viability is not undermined and to ensure site deliverability. To ensure compliance with the soundness tests of the NPPF, this point on evidenced need for non resi uses should be included in policy preamble supporting draft policy GSS08 (ref point e) and be included within wording of draft policy CW01.

AFFORDABLE HOUSING

- 2.14. St William support the Council's objective to support safe, strong and cohesive communities and improve the quality of housing in Barnet and supports the council in its aim to deliver a range of homes and increase access to affordable, good quality homes.

- 2.15. Former Gasworks sites are unique in both use and character; they are challenging and abnormally expensive to regenerate compared to delivery of development on other brownfield sites; they can also have ongoing operational requirements requiring physical infrastructure and easements which can considerably reduce the developable site area. The further challenge for any developer on these typically complex sites is the quantum of upfront costs required to make the sites adequate for residential delivery.
- 2.16. The specific viability challenges to bring former utility sites forward needs to be carefully balanced to ensure these redundant brownfield sites fulfil their potential and contribute to an areas housing need. Draft policy HOU01 should make reference to exceptional cases such as this, where a more flexible approach may be needed.
- 2.17. For conformity reasons, policy HOU01 and supporting text will also need to reflect footnote 59 of the London Plan which highlights the unique challenges of former utility sites; it recognises that *'some surplus utilities sites are subject to substantial decontamination, enabling and remediation costs. If it is robustly demonstrated that extraordinary decontamination, enabling or remediation costs must be incurred to bring a surplus utilities site forward for development, then a 35% housing threshold could be applied, subject to detailed evidence, including viability evidence, being made available'*

DESIGN AND TALL BUILDINGS

- 2.18. The requirement of a design led approach to deliver optimum densities as set out in policy CDH01 (a) is fully supported.
- 2.19. The London Plan makes it very clear within Policy D9 that *'Tall buildings should only be developed in locations that are identified as suitable in Development Plans'*. Recent decisions made by MHCLG, indicate that, in London, any tall buildings not identified in the Development Plan should not be accepted.
- 2.20. Paragraph 6.18.5 of the draft Local Plan references Barnet's Tall Buildings Study Update; this document provides the evidence base to establish areas of the Borough that could be appropriate for tall buildings. These locations include Opportunity Areas as well as town centres and major thoroughfares.
- 2.21. As highlighted within previous representations, draft Policy CDH04 'Tall Buildings' does not fully reflect the evidence base. Whilst it recognises opportunity areas, growth areas and major thoroughfares as suitable for tall buildings (8 to 14 storeys) it only recognises 2 town centres areas as being appropriate for taller buildings and disregards all other town centres as suitable locations. This approach undermines the Mayor's policies which seek optimised growth and housing delivery on *'suitable brownfield sites within 800m of town centre boundaries'*, it also undermines and contradicts part (a) of the Council's draft policy CDH01, which states:

'In order to make the most efficient use of land residential proposals must be developed at an optimum density. A design-led approach to determine capacity should deliver an optimum density. This approach should consider local context, accessibility by walking and cycling and existing and planned public transport as well as the capacity of infrastructure.'

- 2.22. As currently worded, policy CDH04 omits any future opportunity for any tall building to come forward within other town centre locations; inadvertently, this sets a blanket approach for all town centre sites (irrelevant of any design led analysis or other site considerations), that onerously restricts any element of developments in these accessible locations to be no more than 7 storeys. As an indirect consequence, this will suppress housing numbers, impact development viability and hinder housing delivery across the borough.
- 2.23. The current draft CDH04 policy also contradicts the spatial strategy and policy GSS08 of the draft plan where it is recognised that town centres have a *vital role* in delivering growth and new homes.
- 2.24. It is suggested that draft policy CDH04 part (a) includes town centres (including district centres) within the definition of areas that may be appropriate for tall buildings. Any such sites that come forward would still have to satisfy part (e) of this policy - the requirement to demonstrate site suitability for a tall building through a design led approach and full assessment.
- 2.25. As currently worded draft policy CDH04 is in conflict with other areas of the draft local plan, does not conform to the London Plan and does not fully meet the soundness test as required by the NPPF.

SITE ALLOCATIONS

- 2.26. The Council has applied the density matrix from the London Plan (2016) to assess the indicative residential capacity of sites. The London Plan no longer contains this matrix and instead adopts a design led approach with intention to optimise housing delivery, therefore Barnet's approach to site allocation numbers and capacity should be updated to reflect this.
- 2.27. St William supports the principle of residential uses for Site Allocation 21 'New Barnet Gasholder'. Following further site analysis and in line with the Mayor's design led approach for sites to be optimised, St William understand that the site could deliver at least 250 homes as opposed to the 201 homes as currently shown within the allocation. The allocation should therefore replace the word '*indicative*' with '*minimum of*'.
- 2.28. The optimised numbers for the Albert Road site follow the draft Plan's spatial strategy of focussing growth on brownfield sites and within town centre locations. It will meet provisions as set out in draft policy CDH01. It also follows the Plan's policy to optimise such sites as expressed in paragraphs 2.12, 2.13 and 2.21 of this representation.
- 2.29. The inclusion of '10% community uses' is too onerous and is not based on any sound evidence; to enable flexibility when the site comes forward, the Site Allocation should state that a small element of non-residential uses '*could be considered*.'
- 2.30. St William hope the above comments are helpful and trust that their comments will be duly considered as the draft Local Plan is progressed. We look forward to maintaining an interest at Regulation 19 stage.

St William

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