



West Finchley Neighbourhood Plan

Evidence Base Document E: Legal
Compliance Statement (including
Basic Conditions Statement)

For Submission to London Borough of Barnet

November 2019

On behalf of West Finchley Neighbourhood Forum

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1.0 Introduction and General Legal Requirements

1.1 This section details compliance with the general legal requirements of Neighbourhood Plans. In relation to relevant aspects of Schedule 4B of the Town and Country Planning Act, we make the following confirmatory statements (noting the modifications enacted by Section 38A of the Planning and Compulsory Purchase Act) [Legislation references in square brackets]:

1. West Finchley Neighbourhood Forum is a qualifying body and is therefore entitled to submit a draft Neighbourhood Plan to the local planning authority whose area it lies within (London Borough of Barnet) [Schedule 4B 1(1)].
2. The submission includes a draft of the West Finchley Neighbourhood Plan [Schedule 4B 1(2)(a)].
3. The following statement summarises the West Finchley Neighbourhood Plan and sets out why it should be made in the proposed terms [Schedule 4B 1(2)(b)]:

The West Finchley Neighbourhood Plan is a Neighbourhood Plan developed and submitted by West Finchley Neighbourhood Forum. The Plan has been developed through ongoing community involvement and engagement, during which time contributors have helped to identify the key issues the Plan should focus on, develop policies and refine the Plan itself. Following pre-submission consultation, which concluded on 17th July 2019, the Plan is submitted to London Borough of Barnet (LBB) along with this Legal Compliance Statement (including Basic Conditions Statement) and other supporting documents.

The West Finchley Neighbourhood Plan includes policies related to the use of land in West Finchley only. The policies of the Neighbourhood Plan are arranged under five chapters:

- *Residential development (five policies);*
- *Amenities (five policies);*

- *Streetscape (two policies);*
- *Local Environment (three policies);*
- *Transport (three policies).*

The Neighbourhood Plan policies relate to development in the neighbourhood area. Some policies relate to specific sites while some relate to all land in the neighbourhood area.

The Neighbourhood Plan should be made in the proposed terms because it is prepared and submitted in accordance with the general legal requirements of a Neighbourhood Plan (as set out in Section 1 of this report) and conforms to the Basic Conditions of Neighbourhood Plans (as set out in Sections 2-5 of this report).

4. The Neighbourhood Plan is in a prescribed form as it has clearly identified planning policies supported by additional text as required [Schedule 4B 1(3)(a)].
5. The Neighbourhood Plan is accompanied by a number of supporting documents, including those prescribed by Regulation 15(1) of the Neighbourhood Planning (General) Regulations 2012, namely a map identifying the area, a consultation statement (demonstrating compliance with Regulation 15(2) and titled as an 'Engagement Report'), the proposed Neighbourhood Plan and a statement explaining how the proposed Neighbourhood Plan meets the requirements of paragraph 8 of Schedule 4B to the 1990 Act (Sections 2-5 of this Legal Compliance Statement (including Basic Conditions Statement)) [Schedule 4B 1(3)(b)].
6. The qualifying body has sent to the prescribed persons a copy of the proposed Neighbourhood Plan and all prescribed supporting documents [Schedule 4B 1(4)(a-c)].
7. The submitted Neighbourhood Plan conforms to the requirements of the Neighbourhood Planning Regulations (2012, as amended) relevant to the preparation and submission of a neighbourhood plan. Compliance with all aspects of

the regulations related to consultation is set out in the supporting Engagement Statement [Schedule 4B 1(6)].

1.2 In relation to Section 38A of the Planning and Compulsory Purchase Act, we make the following confirmatory statements:

1. West Finchley Neighbourhood Forum is a qualifying body (as a Neighbourhood Forum) and is therefore entitled to initiate a process for the purpose of requiring a local planning authority in England to make a Neighbourhood Plan.
2. The West Finchley Neighbourhood Plan sets out policies in relation to the development and use of land in the whole of the neighbourhood area and in certain policies in relation to parts of the neighbourhood area.
3. The requirements of Schedule 4B are taken into account in the preparation of this Neighbourhood Plan (taking into account the modifications set out at Section 38C) and this report expresses compliance with those policies.
4. The remainder of Section 38A does not relate to the duties of the qualifying body when submitting a Neighbourhood Plan.

1.3 In relation to Section 38B of the Planning and Compulsory Purchase Act, we make the following confirmatory statements:

1. At Paragraph 1.7, the Neighbourhood Plan expresses the period over which it will take effect. The Neighbourhood Plan has a base date of 2020 and will run to 2035.
2. The Neighbourhood Plan and its policies do not relate to excluded development, as defined by section 61K of the Town and Country Planning Act 1990, including County matters (such as minerals or waste development) and nationally significant infrastructure projects.
3. The West Finchley Neighbourhood Plan Area was designated by LBB on 26 November 2015, following an application made under the Localism Act 2011 and Neighbourhood Planning (General) Regulations 2012. The Neighbourhood Plan relates to that single designated area only. A map is submitted in support of the

Neighbourhood Plan showing the Neighbourhood Plan Area.

4. The Neighbourhood Plan policies are in accordance with the statements or other information in the Plan, however, we note that should any conflict be interpreted this would be resolved in favour of the policy.

1.4 This Legal Compliance Statement (including Basic Conditions Statement) demonstrates compliance with the “Basic Conditions”. Neighbourhood Plans must conform to the relevant Basic Conditions set out in Paragraph 8 of Schedule 4B to the Town and Country Planning Act 1990. It is required by Regulation 15(1)(d) of the Neighbourhood Planning Regulations (2012, as amended). The Basic Conditions are:

1. To have appropriate regard to national planning policies and advice;
2. To contribute to the achievement of sustainable development;
3. To be in general conformity with the strategic policies contained in the development plan for the area of the local planning authority, in this case the Local Plan (Core Strategy) 2012 and the London Plan 2016; and
4. To meet the relevant EU obligations.

Structure of this Report

1.5 The remainder of this Legal Compliance Statement (including Basic Conditions Statement) addresses each Basic Condition set out at Paragraph 1.4 on a chapter-by-chapter basis.

2.0 To have appropriate regard to national planning policy and advice

2.1 National Planning Policy and Advice is primarily contained within:

- The National Planning Policy Framework (2019);
- National Planning Practice Guidance; and
- Written Ministerial Statements.

National Planning Policy Framework

2.2 The National Planning Policy Framework ('the Framework') sets out the approach to planning policy making and planning decision taking in England. There is a duty of Neighbourhood Plans to have regard to the statements made in the Framework. Each relevant section of the NPPF is set out below and accompanied by proportionate evidence demonstrating that the West Finchley Neighbourhood Plan and its policies have regard to its contents.

2.3 The Plan has regard to relevant policies within the NPPF in relation to:

- Achieving sustainable development;
- Plan-making;
- Decision-making;
- Delivering a sufficient supply of homes;
- Building a strong, competitive economy;
- Ensuring the vitality of town centres;
- Promoting healthy and safe communities;
- Promoting sustainable transport;
- Supporting high quality communications;
- Making effective use of land;
- Achieving well-designed places;
- Protecting Green Belt land;
- Meeting the challenge of climate change, flooding and coastal change;
- Conserving and enhancing the natural environment;

- Conserving and enhancing the historic environment;
- Facilitating the sustainable use of minerals.

Achieving sustainable development

2.4 This section sets out the dimensions of sustainable development in the context of the planning system. These dimensions are considered in Section 3 of this report, when assessing the contribution of the Neighbourhood Plan in the context of the dimensions of sustainable development.

Plan-making

2.5 The West Finchley Neighbourhood Plan sets out a framework at neighbourhood level that addresses economic, social and environmental priorities, and a vehicle for local people to shape their neighbourhood.

2.6 Paragraph 16 of the Framework states that plans should:

- be prepared with the objective of contributing to the achievement of sustainable development;*
- be prepared positively, in a way that is aspirational but deliverable;*
- be shaped by early, proportionate and effective engagement between planmakers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees;*
- contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals;*
- be accessible through the use of digital tools to assist public involvement and policy presentation; and*
- serve a clear purpose, avoiding unnecessary duplication of policies that apply to a particular area (including policies in this Framework, where relevant).*

2.7 It is confirmed that the West Finchley Neighbourhood Plan meets these requirements and in response to Paragraph 16:

- a. Has been prepared with the objectives of sustainable development in mind (refer to chapter 3 of this report);
- b. Has been prepared in a positive fashion and is deliverable;
- c. Has been prepared in consultation with local community members and the Council;
- d. Contains clearly written policies;
- e. Will be accessible digitally, through the West Finchley Neighbourhood Forum website and the Council website; and
- f. Serves a clear purpose.

2.8 Paragraph 29 of the Framework states that '*Neighbourhood plans can shape, direct and help to deliver sustainable development, by influencing local planning decisions as part of the statutory development plan. Neighbourhood plans should not promote less development than set out in the strategic policies for the area, or undermine those strategic policies.*'

2.9 The Neighbourhood Plan includes policies that promote appropriate development within the Neighbourhood Plan Area. The policies do not promote less development than is set out in Barnet's Core Strategy. Chapter 4 of the Neighbourhood Plan sets out the Overall Vision for the plan period, and importantly notes that '*The key assets of the area will be retained and new development will have improved the character and sustainability of the area.*'

Decision-Making

2.10 The West Finchley Neighbourhood Plan provides a tool to help decision makers to assess applications for sustainable development, as described in Paragraph 38.

Delivering a sufficient supply of homes

2.11 At the heart of planning policy is the Government's objective to deliver more homes. Paragraph 69 of the Framework identifies that '*neighbourhood planning groups should consider the opportunities*

for allocating small and medium-sized sites suitable for housing in their area. The West Finchley area is small and densely populated and therefore there is very limited scope to identify sites available for substantial residential development. Therefore specific sites have not been allocated within the Neighbourhood Plan. This does not have any impact on the local planning authority's ability to allocate sites in the Local Plan.

2.12 Paragraph 70 of the Framework makes a case for *'policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area'*.

2.13 West Finchley Neighbourhood Plan sets out the following policies that aim to support the Government's objective to deliver a sufficient supply of homes.

Policy	Policy Title
RD1	Utilising the Neighbourhood Plan Design Guide
RD3	Layout of New Residential Development

2.14 The policies identified above are in accordance with the Framework.

Building a strong, competitive economy

2.15 The Framework outlines that all planning policies and decisions should help to create conditions for economic prosperity. Paragraph 83d) states that policies should enable *'the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship'*. Policies A1-A5 drafted as part of the West Finchley Neighbourhood Plan conform with the Framework whereby they aim to retain and enhance community facilities, local green spaces and local shops.

2.16 The West Finchley Neighbourhood Plan sets out the following policies that aim to support the Government's objective to support economic growth and productivity.

Policy	Policy Title
A1	Local Parade of Shops
A2	Community Facilities

A3	Local Green Spaces
A4	Improvements to Local Green Spaces
A5	Utilities Infrastructure

2.17 The policies identified above are in conformity with the Framework.

Ensuring the vitality of town centres

2.18 The Framework identifies that policies should support the role of town centres, and further explores that towns centres can play a role at the heart of communities. While the Neighbourhood Plan area does not feature a town centre, its small parade of shops plays an important role in the wider retail hierarchy.

2.19 The West Finchley Neighbourhood Plan sets out the following policy that supports the vitality of town centres.

Policy	Policy Title
A1	Local Parade of Shops

2.20 The policies identified above are in conformity with the Framework.

Promoting healthy and safe communities

2.21 Chapter 8 of the Framework addresses the Government’s objective to create healthy, inclusive and safe places and promote social interaction, safe and accessible communities, and foster healthy lifestyles. Paragraph 91 of the Framework identifies the means by which this can be achieved.

2.22 The West Finchley Neighbourhood Plan sets out the following policies that support the promotion of healthy and safe communities.

Policy	Policy Title
RD2	Secure Homes
RD5	Basement Developments

A2	Community Facilities
A3	Local Green Spaces
A4	Improvements to Local Green Spaces
LE3	Air Quality

2.23 The policies identified above are in conformity with the Framework.

Promoting sustainable transport

2.24 The Framework outlines that transport issues should be considered in plan-making and development proposals. Of particular relevance to the neighbourhood plan area, is the Framework's requirement at Paragraph 102d), 102e) and 102f) to consider opportunities to promote walking, cycling and public transport use, the environmental issues of traffic and transport infrastructure, and patterns of movement, streets and parking.

2.25 The West Finchley Neighbourhood Plan sets out the following policies that have been included specifically to contribute to the promotion of sustainable transport.

Policy	Policy Title
T1	Electric Charging Points
T2	On Street Parking
T3	West Finchley Underground Station

2.26 The policies identified above are in conformity with the Framework.

Supporting high quality communications

2.27 The Framework identifies that advanced, high quality and reliable communications infrastructure is essential for economic growth and social well-being. Paragraph 112 sets out that '*Planning policies and decisions should support the expansion of electronic communications networks, including next generation mobile technology (such as 5G) and full fibre broadband connections.*'

2.28 The West Finchley Neighbourhood Plan sets out the following policy that has been included to ensure that high quality and reliable communications infrastructure can be delivered.

Policy	Policy Title
A5	Utilities Infrastructure

2.29 The policy identified above is in conformity with the Framework.

Making effective use of land

2.30 Ensuring the effective use of land is described in Chapter 11, and at Paragraph 117, the Framework states that '*Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions*'.

2.31 The West Finchley Neighbourhood Plan sets out the following policies that have been included to ensure the Plan promotes the effective use of land in line with Paragraph 117 and Chapter 11 of the Framework.

Policy	Policy Title
RD3	Layout of New Residential Development
A1	Local Parade of Shops
A2	Community Facilities
A3	Local Green Spaces

2.32 The policies identified above are in conformity with the Framework.

Achieving well-designed places

2.33 Chapter 12 of the Framework focusses on working towards creating well-designed places, as a key aspect of sustainable development. Paragraph 124 states '*The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps*

make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process.'

2.34 Of particular relevance is the sentiment that design expectations should be clear, as set out in the Neighbourhood Plan Design Guide (Policy RD1).

2.35 The West Finchley Neighbourhood Plan sets out the following policies that have been included to promote well-designed places.

Policy	Policy Title
RD1	Utilising the Neighbourhood Plan Design Guide
S2	Public Realm Improvements

2.36 The policies identified above are in conformity with the Framework.

Protecting Green Belt Land

2.37 The Government attaches great importance to protecting the Green Belt and through Chapter 13 of the Framework, sets out the purposes of the Green Belt. Paragraph 141 states that plans should *'enhance their (the Green Belt's) beneficial use, such as looking for opportunities to provide access; to provide opportunities for outdoor sport and recreation; to retain and enhance landscapes, visual amenity and biodiversity; or to improve damaged and derelict land.'* Policy LE1 has been included for this purpose.

2.38 The West Finchley Neighbourhood Plan sets out the following policy that has been included to promote the protection of Green Belt land within the Neighbourhood Plan area.

Policy	Policy Title
LE1	Dollis Valley Greenwalk Flood Risk

2.39 The policy identified above is in conformity with the Framework.

Meeting the challenge of climate change, flooding and coastal change

- 2.40 The Framework identifies that planning should support the transition to a low carbon future in a changing environment, and a proactive approach to mitigating and adapting to climate change. In doing so plans are required to tackle the long term implications for flood risk, water supply, biodiversity and landscapes, and the risk of overheating from rising temperatures. Policies have been included in the draft Plan that serve the purposes, as described in paragraphs 148 and 149 of the Framework.
- 2.41 The West Finchley Neighbourhood Plan sets out the following policies that have been included to contribute to tackling the issue of climate change.

Policy	Policy Title
LE1	Dollis Valley Greenwalk Flood Risk
LE2	Trees
LE3	Air Quality
T1	Electric Charging Points

- 2.42 The policies identified above are in conformity with the Framework.

Conserving and enhancing the natural environment

- 2.43 At Chapter 15 the Framework instructs that planning policies and decisions should contribute to and enhance the natural and local environment. Paragraph 170e) states that policies can enhance the local environment by *'preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans'*.
- 2.44 The West Finchley Neighbourhood Plan sets out the following policies that have been included to contribute to tackling the issue of climate change.

Policy	Policy Title
LE1	Dollis Valley Greenwalk Flood Risk
LE2	Trees
LE3	Air Quality

2.45 The policies identified above are in conformity with the Framework.

Conserving and enhancing the historic environment

2.46 Chapter 16 of the Framework focusses on the conservation and enhancement of historic environment. Paragraph 184 states that historic '*assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations*'. Paragraph 185 identifies that '*Plans should set out a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets*'. The draft Plan has included a policy specifically for the purposes of meeting the requirements of Chapter 16 of the Framework.

2.47 The West Finchley Neighbourhood Plan sets out the following policy that has been included to contribute to the conservation and enhancement of the historic environment.

Policy	Policy Title
S1	Local Character and Heritage

2.48 The policy identified above is in conformity with the Framework.

Facilitating the sustainable use of minerals

2.49 The Government accords a chapter of the Framework to ensuring that there is a sufficient supply of minerals for future development. The Neighbourhood Plan does not provide for the extraction of minerals, and therefore this chapter of the Framework is not relevant.

National Planning Practice Guidance

[Open space, sports and recreation facilities, public rights of way and local green space \(Section ID: 37\)](#)

2.50 Please refer to Supporting Document D, the Local Green Spaces Designation Paper, which sets out conformity with this section of Planning Practice Guidance.

[Neighbourhood Plans \(Section ID: 41\)](#)

2.51 This section advises on the neighbourhood planning system including key stages and decisions such as deciding neighbourhood areas, legal tests for neighbourhood plans, the preparation of a basic conditions statement and the process of independent examination and referendum.

2.52 This statement demonstrates how the West Finchley Neighbourhood Plan meets the basic conditions required to pass examination, as set out under paragraphs 065-068 (Ref: 41-065-20140306) of the NPPG.

2.53 In response to the question "Can a neighbourhood plan come forward before an up-to-date Local Plan is in place?", NPPG states that:

Neighbourhood plans, when brought into force, become part of the development plan for the neighbourhood area. They can be developed before or at the same time as the local planning authority is producing its local plan (or, where applicable, a spatial development strategy is being prepared by an elected Mayor or combined authority).

A draft neighbourhood plan or Order must be in general conformity with the strategic policies of the development plan in force if it is to meet the basic condition. Although a draft neighbourhood plan or Order is not tested against the policies in an emerging local plan the reasoning and evidence informing the local plan process is likely to be relevant to the consideration of the basic conditions against which a neighbourhood plan is tested. For example, up-to-date housing needs evidence is relevant to the question of whether a housing supply policy in a neighbourhood plan or Order contributes to the achievement of sustainable development.

Where a neighbourhood plan is brought forward before an up-to-date local plan is in place the

qualifying body and the local planning authority should discuss and aim to agree the relationship between policies in:

- *the emerging neighbourhood plan*
- *the emerging local plan (or spatial development strategy)*
- *the adopted development plan*

with appropriate regard to national policy and guidance.

The local planning authority should take a proactive and positive approach, working collaboratively with a qualifying body particularly sharing evidence and seeking to resolve any issues to ensure the draft neighbourhood plan has the greatest chance of success at independent examination.

The local planning authority should work with the qualifying body so that complementary neighbourhood and local plan policies are produced. It is important to minimise any conflicts between policies in the neighbourhood plan and those in the emerging local plan, including housing supply policies. This is because section 38(5) of the Planning and Compulsory Purchase Act 2004 requires that the conflict must be resolved in favour of the policy which is contained in the last document to become part of the development plan.

Strategic policies should set out a housing requirement figure for designated neighbourhood areas from their overall housing requirement (paragraph 65 of the revised National Planning Policy Framework). Where this is not possible the local planning authority should provide an indicative figure, if requested to do so by the neighbourhood planning body, which will need to be tested at the neighbourhood plan examination. Neighbourhood plans should consider providing indicative delivery timetables, and allocating reserve sites to ensure that emerging evidence of housing need is addressed. This can help minimise potential conflicts and ensure that policies in the neighbourhood plan are not overridden by a new local plan.

Paragraph: 009 Reference ID: 41-009-20190509

Revision date: 19 05 2019

- 2.54 The Neighbourhood Plan is prepared in accordance with the evidence and direction of the emerging Local Plan, seeking to incorporate the emerging strategy from LBB. The more strategic natured policies in the Neighbourhood Plan are formed in line with the evidence for the emerging Local Plan and it is anticipated that there will be no degree of variation between the strategic policies of the Neighbourhood Plan and those of a future Local Plan. In the event that there is any variation, the Local Plan would take precedence over the Neighbourhood Plan.
- 2.55 There is a demonstrated need for housing, including family homes within the Borough and there is a focus within the Neighbourhood Plan on retaining family homes. The Neighbourhood Forum researched whether there are sites that could be developed to meet housing need, but given the size of the area, density of population sufficient land to warrant allocating sites has not been found. Notwithstanding, the draft policies are realistic to a future Local Plan allocating sites for new growth and does not seek to prevent this.

3.0 To contribute to the achievement of sustainable development

3.1 The following sections outline how the West Finchley Neighbourhood Plan contributes to the achievement of sustainable development.

Role and definition of sustainable development

3.2 Paragraph 7 of the Framework sets out that *'the purpose of the planning system is to contribute to the achievement of sustainable development'*, noting that the remainder of the Framework defines the government's view of what constitutes sustainable development.

3.3 Paragraph 11 of the Framework states that a presumption in favour of sustainable development is at the heart of the Framework.

3.4 Paragraph 8 of the Framework defines the 'dimensions' of sustainable development to be economic, social and environmental. It further sets out roles of the planning system in relation to these dimensions as follows:

- a. *'an economic role – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;*
- b. *a social role – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being; and*
- c. *an environmental role – contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.'*

3.5 This section reviews the West Finchley Neighbourhood Plan in the context of these dimensions, individually and collectively. Where aspects of the Neighbourhood Plan have an impact on more than one dimension of sustainability it is noted.

Assessment

Delivering economic sustainability

3.6 The West Finchley Neighbourhood Plan seeks to contribute to the delivery of economic sustainability. The West Finchley Neighbourhood Plan area is small, and there are limited sites within the area that offer employment opportunities outside of smaller businesses and work-from-home scenarios. Notwithstanding, Chapter 6.0 of the Plan focusses around ensuring that residents of West Finchley have access to appropriately amenities, including local shops and community facilities.

3.7 The Neighbourhood Plan contributes to delivering economic sustainability through:

- Supporting the function of the local parade of shops within the Neighbourhood Plan Area;
- Providing a vehicle for the development of high quality homes within the Neighbourhood Plan Area;
- Ensuring that new development is supported by the appropriate utilities infrastructure;
- Providing a vehicle for development improvements to the West Finchley Underground Station, the key and only London Underground station within the Plan Area, and a major transport node for commuters into central London.

Delivery social sustainability

3.8 The West Finchley Neighbourhood Plan seeks to contribute to the delivery of social sustainability. The Neighbourhood Plan provides a platform for supporting a healthy West Finchley community, by providing high quality homes and enhanced and accessible community facilities and local services.

3.9 The Neighbourhood Plan contributes to delivering social sustainability through:

- Providing a vehicle for the development of high quality homes, with a particular focus on family homes, within the Neighbourhood plan area;
- Ensuring that future residential development is well designed and secure from crime;

- Protecting existing community facilities and green spaces, and in doing so providing the local community with spaces to gather and socialise;
- Providing a platform for the enhancement of local green spaces to ensure they are of a high quality and accessible to all;
- Identifying public realm improvements that would enhance the experience of local residents and community members;
- Protecting the local parade of shops to provide convenient and accessible shops and services.

Delivering environmental sustainability

3.10 The West Finchley Neighbourhood Plan seeks to contribute to environmental sustainability. The Neighbourhood Plan provides specific policies to the effect, with particular concentration on flooding and air quality. The Plan seeks to improve the local environment by improving air quality, retaining existing trees and promoting tree planting, and protecting existing green spaces and local amenities.

3.11 The Neighbourhood Plan contributes to environmental sustainability specifically through:

- Requiring proposals to reduce flood risk to the Neighbourhood Plan Area, particularly in relation to Dollis Brook;
- Requiring proposals to demonstrate that there would be no reduction in air quality and incorporating measures to improve air quality wherever possible;
- Restricting the loss of trees and promoting tree planting across the Neighbourhood Plan area;
- Providing a platform for the improvement of local green spaces;
- Promoting alternative energy and in particular the use of electric vehicles through support for electric vehicle charging points.

4.0 To be in general conformity with the strategic policies contained in the Development Plan

Introduction

- 4.1 This section analyses the general conformity of the Neighbourhood Plan and its policies against the current adopted and emerging strategic planning policies in LBB. The Development Plan at LBB is comprised of the Core Strategy (2012) and the Development Management Policies (2012).
- 4.2 In addition, the Development Plan comprises the London Plan (2016).
- 4.3 National Planning Practice Guidance makes the following comments on what is meant by the terms "general conformity" and "strategic policies":

'What is meant by 'general conformity'?

When considering whether a policy is in general conformity a qualifying body, independent examiner, or local planning authority, should consider the following:

- 1. whether the neighbourhood plan policy or development proposal supports and upholds the general principle that the strategic policy is concerned with*
- 2. the degree, if any, of conflict between the draft neighbourhood plan policy or development proposal and the strategic policy*
- 3. whether the draft neighbourhood plan policy or development proposal provides an additional level of detail and/or a distinct local approach to that set out in the strategic policy without undermining that policy*
- 4. the rationale for the approach taken in the draft neighbourhood plan or Order and the evidence to justify that approach' (Paragraph: 074 Reference ID: 41-074-20140306)*

'What is meant by strategic policies?

Paragraph 20 of the National Planning Policy Framework sets out the strategic matters about which

local planning authorities are expected to include policies in their Local Plans. The basic condition addresses strategic policies no matter where they appear in the development plan. It does not presume that every policy in a Local Plan is strategic or that the only policies that are strategic are labelled as such. (Paragraph: 075 Reference ID: 41-075-20140306)

'How is a strategic policy determined?'

Strategic policies will be different in each local planning authority area. When reaching a view on whether a policy is a strategic policy the following are useful considerations:

- *whether the policy sets out an overarching direction or objective*
- *whether the policy seeks to shape the broad characteristics of development*
- *the scale at which the policy is intended to operate*
- *whether the policy sets a framework for decisions on how competing priorities should be balanced*
- *whether the policy sets a standard or other requirement that is essential to achieving the wider vision and aspirations in the Local Plan*
- *in the case of site allocations, whether bringing the site forward is central to achieving the vision and aspirations of the Local Plan*
- *whether the Local Plan identifies the policy as being strategic*

Planning practice guidance on Local Plans provides further advice on strategic policies. (Paragraph: 076 Reference ID: 41-076-20140306).

'How does a qualifying body know what is a strategic policy?'

A local planning authority should set out clearly its strategic policies in accordance with paragraph 21 of the National Planning Policy Framework and provide details of these to a qualifying body and to the independent examiner. (Paragraph: 077 Reference ID: 41-077-20140306).

4.4 On Friday 12th June 2019, LBB confirmed that all policies included within the Core Strategy are strategic

in nature. Policies identified as strategic by the LBB are included in the table below:

Policy Number	Policy Name
CS1	Barnet's place shaping strategy – protection, enhancement and consolidated growth – the Three Strands Approach
CS2	Brent Cross – Cricklewood
CS3	Distribution of growth in meeting housing aspirations
CS4	Providing quality homes and housing choice in Barnet
CS5	Protecting and enhancing Barnet's character to create high quality places
CS6	Promoting Barnet's town centres
CS7	Enhancing and Protecting Barnet's Open Spaces
CS8	Promoting a strong and prosperous Barnet
CS9	Providing safe, effective and efficient travel
CS10	Enabling inclusive and integrated community facilities and uses
CS11	Improving health and well being in Barnet
CS12	Making Barnet a safer place
CS13	Ensuring the efficient use of natural resources

Assessment

4.5 Table 1 assesses the Neighbourhood Plan in the context of each strategic adopted policy in the Barnet Core Strategy and the London Plan that is relevant to the West Finchley Neighbourhood Plan Area. Policies that relate only to land outside of the Neighbourhood Plan Area have not been considered. While there is no basic condition relating to conformity with emerging planning policy (see NPPG Paragraph: 009 Reference ID: 41-009-20160211) and therefore there is no reference to these in this Statement, the West Finchley Neighbourhood Plan has been formed in collaboration with LBB with the aim of ensuring conformity with its emerging Local Plan. Given that the draft New London Plan is likely to be adopted prior to the West Finchley Neighbourhood Plan being finalised, the relevant draft new London Plan policies have been considered in the table below in addition to the adopted London Plan.

Neighbourhood Plan Policy	Barnet Core Strategy	London Plan 2016	Draft London Plan	Conformity
<ul style="list-style-type: none"> • Policy RD1 – Utilising the Neighbourhood Plan Design Guide 	<ul style="list-style-type: none"> • CS4 Providing quality homes and housing choice in Barnet • CS5 Protecting and enhancing Barnet’s character to create high quality places 	<ul style="list-style-type: none"> • 3.5 Quality and design of housing developments • 3.14 Existing housing • 7.1 Lifetime neighbourhoods • 7.2 An inclusive environment • 7.6 Architecture 	<ul style="list-style-type: none"> • D1 London’s form and characteristics • D2 Delivering good design • D3 Inclusive design • D4 Housing quality and standards 	<p>Policy RD1 is in conformity with the relevant strategic policies as, through the design guide, it seeks to ensure that all development for housing is of a high quality, and is consistent with the existing character and built form of the neighbourhood.</p> <p>Similarly, the policy is in line with various design based policies included within the adopted and emerging London Plans. Of particular relevance is Policy D1 of the Draft London Plan, which sets</p>

Neighbourhood Plan Policy	Barnet Core Strategy	London Plan 2016	Draft London Plan	Conformity
				<p>out the core design principles for all development across London. The policy and the associated Design Guide are consistent with the objectives of Policy D1. The policy is also consistent with the requirements of policies D2, D3 and D4.</p> <p>This policy is in conformity with the strategic policies of the Development Plan</p>
<ul style="list-style-type: none"> • Policy RD2 – Secure Homes 	<ul style="list-style-type: none"> • CS12 Making Barnet a safer place 	<ul style="list-style-type: none"> • 7.3 Designing out crime 	<ul style="list-style-type: none"> • D10 Safety, security and resilience to emergency 	<p>Policy RD2 is in conformity with the relevant strategic policy and seeks to ensure that all homes in the West Finchley Neighbourhood Area are secure from crime. Policy CS12 in the Core Strategy specifically identifies that Barnet will work with developers to <i>'demonstrate that they have incorporated design principles which contribute to community safety and security in all new development'</i>. Policy RD2 is consistent with this statement and goes one step further in identifying how developers can do so.</p>

Neighbourhood Plan Policy	Barnet Core Strategy	London Plan 2016	Draft London Plan	Conformity
				<p>The policy is also in accordance with both the adopted London Plan policy 7.3 and the draft New London Plan policy D10, which focusses on ensuring safety and security through design.</p> <p>This policy is in conformity with the strategic policies of the Development Plan</p>
<ul style="list-style-type: none"> • Policy RD3 – Layout of New Residential Development 	<ul style="list-style-type: none"> • CS5 Protecting and enhancing Barnet’s character to create high quality places 	<ul style="list-style-type: none"> • 3.5 Quality and design of housing developments • 3.8 Housing choice • 7.1 Lifetime neighbourhoods • 7.2 An inclusive environment 7.6 Architecture 	<ul style="list-style-type: none"> • D1 London’s form and characteristics • D2 Delivering good design • D3 Inclusive design • D4 Housing quality and standards 	<p>Policy CS5 of the Core Strategy identifies that <i>‘the scale of the site is in keeping with local context and character’</i>. Similarly, the new London Plan requires that development must be of a high quality in the context of their wider environment, through policies D1-D4. Policy RD3 of the Neighbourhood Plan specifically identifies the character of West Finchley in terms of its existing residential character and layout and provides a policy that addresses how future residential development can complement the existing.</p> <p>This policy is in conformity with the strategic policies of the Development Plan</p>

Neighbourhood Plan Policy	Barnet Core Strategy	London Plan 2016	Draft London Plan	Conformity
<ul style="list-style-type: none"> • Policy RD4 – Driveways 	<ul style="list-style-type: none"> • CS5 Protecting and enhancing Barnet’s character to create high quality places 	<ul style="list-style-type: none"> • 5.13 Sustainable drainage • 6.13 Parking 	<ul style="list-style-type: none"> • T6 Parking • SI13 Sustainable drainage 	<p>The purpose of the Driveways policy is to ensure that any future development involving a driveway that is subject to a planning application, is of a high quality and ensures that permeable materials are proposed. In this regard, the policy is considered to be consistent with Policy CS5 in the Core Strategy. The policy is also consistent with the policies 5.13 and 6.13 of the London Plan 2016, and policies T6 and SI13 of the Draft London Plan.</p> <p>This policy is in conformity with the strategic policies of the Development Plan</p>
<ul style="list-style-type: none"> • Policy RD5 – Basement Development 	<ul style="list-style-type: none"> • CS5 Protecting and enhancing Barnet’s character to create high quality places • CS12 Making Barnet a safer place 		<ul style="list-style-type: none"> • D9 Basement development 	<p>Basement development is an emerging issue in the West Finchley Neighbourhood Plan Area and therefore this policy has been included. Barnet does not have a policy at present that assesses basement development. Notwithstanding, the policy is considered to be in conformity with the vision and objectives of the Core Strategy, by managing growth, and promoting efficient use of</p>

Neighbourhood Plan Policy	Barnet Core Strategy	London Plan 2016	Draft London Plan	Conformity
				<p>land. The policy is considered to be consistent with both Policy CS5 and Policy CS12.</p> <p>The recent emergence of the basement policy D9 in the draft London Plan provides further context for the importance of the inclusion of a basement policy in the Neighbourhood Plan.</p> <p>This policy is in conformity with the strategic policies of the Development Plan</p>
<ul style="list-style-type: none"> • Policy A1 – Local Parade of Shops 	<ul style="list-style-type: none"> • CS8 Promoting a strong and prosperous Barnet 	<ul style="list-style-type: none"> • 2.6 Outer London: economy • 4.9 Small shops 	<ul style="list-style-type: none"> • E9 Retail, markets and hot food takeaways 	<p>Policy A1 is designed to protect and promote the existing shops in the shopping parade. The shops offer an important facility for the local community, providing accessible and convenient shops and services local in nature. Policy CS8 of the Core Strategy supports businesses and employment opportunities within the Borough, and this parade of shops is a local, but important part of the Neighbourhood Plan Area as well as the wider Borough. The policy is consistent with the Outer London: economy, and small shops policies in the London Plan, and Policy E9 of the</p>

Neighbourhood Plan Policy	Barnet Core Strategy	London Plan 2016	Draft London Plan	Conformity
				<p>Draft London Plan whereby they promote small parades of shops in appropriate locations.</p> <p>This policy is in conformity with the strategic policies of the Development Plan</p>
<ul style="list-style-type: none"> • Policy A2 – Community Facilities 	<ul style="list-style-type: none"> • CS10 Enabling inclusive and integrated community facilities and uses • CS11 Improving health and well being in Barnet 	<ul style="list-style-type: none"> • 3.16 Protection and enhancement of social infrastructure • 3.19 Sports facilities • 4.8 Support for the enhancement of arts, culture, sport and entertainment 	<ul style="list-style-type: none"> • S1 Developing London’s social infrastructure • S5 Sports and recreation facilities 	<p>The purpose of Policy A2 is to protect the existing community facilities in the Neighbourhood Plan Area, two of which are identified specifically. These community facilities play a very important role for residents from within the area and from further afield. The policy ensures that the community uses are protected from future development and that the facilities will be enhanced wherever possible. Policy CS10 states that the Borough will ‘<i>support the enhancement and inclusive design of community facilities ensuring their efficient use, and the provision of multi-purpose community hubs that can provide a range of services to the community at a single accessible location</i>’. Policy A2 is consistent with policy CS10.</p>

Neighbourhood Plan Policy	Barnet Core Strategy	London Plan 2016	Draft London Plan	Conformity
				This policy is in conformity with the strategic policies of the Development Plan
<ul style="list-style-type: none"> • Policy A3 – Local Green Spaces 	<ul style="list-style-type: none"> • CS7 Enhancing and Protecting Barnet’s Open Spaces • CS11 Improving health and well being in Barnet 	<ul style="list-style-type: none"> • 2.18 Green infrastructure: the multifunctional network of green and open spaces 	<ul style="list-style-type: none"> • G1 Green infrastructure • G4 Local green and open spaces • G6 Biodiversity and access to nature 	<p>Policy A3 is consistent with Policy CS7 whereby the identified and designated green spaces will be protected from inappropriate development. The Neighbourhood Plan Policy A3 is also consistent with the desired outcomes of Policy CS11 of the Core Strategy, which identifies measures of improving the health and wellbeing of community members. Specifically, the policy states that health and wellbeing will be improved by <i>‘ensuring increased access to Barnet’s green spaces’</i>. Policy A3, by protecting and enhancing the Neighbourhood Plan area’s green spaces, and therefore providing opportunity for outdoor activity, is consistent with this Core Strategy policy.</p> <p>The Draft London Plan places great importance on local green spaces through policies G1, G4 and G6. Policy G4 sets out that local green spaces should be designated through an</p>

Neighbourhood Plan Policy	Barnet Core Strategy	London Plan 2016	Draft London Plan	Conformity
				<p>assessment process and those identified, protected through appropriate policies. An assessment process has occurred and is presented at Evidence Base Document D.</p> <p>This policy is in conformity with the strategic policies of the Development Plan</p>
<ul style="list-style-type: none"> • Policy A4 – Improvements to Local Greenspaces 	<ul style="list-style-type: none"> • CS7 Enhancing and Protecting Barnet’s Open Spaces 	<ul style="list-style-type: none"> • 2.18 Green infrastructure 	<ul style="list-style-type: none"> • G1 Green infrastructure • G4 Local green and open spaces • G6 Biodiversity and access to nature • G8 Food growing 	<p>Policy A4 is consistent with Policy CS7 whereby the identified and designated green spaces will be protected from inappropriate development, and support is identified for any development proposal for the improvement of those green spaces.</p> <p>Policy A4 is consistent with the relevant objectives of Chapter 8 of the Draft London Plan which addresses the Green Infrastructure and the Natural Environment, whereby it sets out that green spaces should be protected and enhanced. Policies G1, G4, G6 and G8 are considered to be of particular relevance.</p>

Neighbourhood Plan Policy	Barnet Core Strategy	London Plan 2016	Draft London Plan	Conformity
				This policy is in conformity with the strategic policies of the Development Plan
<ul style="list-style-type: none"> • Policy A5 – Utilities Infrastructure 	<ul style="list-style-type: none"> • CS8 Promoting a strong and prosperous Barnet 	<ul style="list-style-type: none"> • 4.11 Encouraging a connected economy • 5.4 Electricity and gas supply • 5.5 Decentralised energy networks • 5.8 Innovative energy technologies • 5.15 Water use and supplies 	<ul style="list-style-type: none"> • GG5 Growing a good economy • GG6 Increasing efficiency and resilience 	<p>Policy A5 of the Neighbourhood Plan is consistent with Policy CS8 of the Core Strategy whereby it is promoting the improvement of local utilities infrastructure. This in turn is expected to drive the local economy, increase productivity and encourage prosperity in line with Policy CS8.</p> <p>The policy is also consistent with relevant policies in the London Plan 2016, and policies GG5 and GG6 of the Draft London Plan. Policy GG6 in particular requires an '<i>integrated and smart approach to the delivery of strategic and local infrastructure by ensuring that public, private, community and voluntary sectors plan and work together</i>'.</p> <p>This policy is in conformity with the strategic policies of the Development Plan</p>

Neighbourhood Plan Policy	Barnet Core Strategy	London Plan 2016	Draft London Plan	Conformity
<ul style="list-style-type: none"> • Policy S1 – Local Character and Heritage 	<ul style="list-style-type: none"> • CS5 Protecting and enhancing Barnet’s character to create high quality places 	<ul style="list-style-type: none"> • 7.4 Local character • 7.8 Heritage assets and archaeology 	<ul style="list-style-type: none"> • HC1 Heritage conservation and growth • D1 London’s form and characteristics 	<p>Policy CS5 sets out how development should respect the local context and distinctive character in Barnet’s many neighbourhoods. In particular, the policy sets out that the Council will proactively protect and enhance Barnet’s heritage. Policy S1 of the Neighbourhood Plan is consistent with the Core Strategy policy, directing developers to the Heritage and Character Assessment. The policy clearly sets out that proposals must conserve or enhance the setting of heritage assets within the area.</p> <p>The policy is also consistent with the core draft London Plan design policy (D1) and the HC1, which identifies that ‘strategies should demonstrate a clear understanding of the historic environment and the heritage values of sites or areas and their relationship with their surroundings’. Evidence Base Document A has been prepared for this purpose, and Policy S1 sets out how future development should</p>

Neighbourhood Plan Policy	Barnet Core Strategy	London Plan 2016	Draft London Plan	Conformity
				<p>respond to the West Finchley's character and heritage.</p> <p>This policy is in conformity with the strategic policies of the Development Plan</p>
<ul style="list-style-type: none"> • Policy S2 – Public Realm Improvements 	<ul style="list-style-type: none"> • CS5 Protecting and enhancing Barnet's character to create high quality places 	<ul style="list-style-type: none"> • 6.7 Better streets and surface transport • 7.5 Public realm 	<ul style="list-style-type: none"> • D7 Public realm 	<p>Policy S2 of the Neighbourhood Plan sets out a range of public realm improvements that would be supported. Similar to Policy S1, Policy S2 carefully references the Heritage and Character Assessment, to which all public realm improvements must have regard. The policy is consistent with Policy CS5 of the Core Strategy which also sets out how developments are required to complement the local context and character.</p> <p>Public realm improvements are also a focus in both versions of the London Plan, and Policy S2 has been drafted to conform to the relevant strategic London policies including the new policy D7 Public realm.</p>

Neighbourhood Plan Policy	Barnet Core Strategy	London Plan 2016	Draft London Plan	Conformity
				This policy is in conformity with the strategic policies of the Development Plan
<ul style="list-style-type: none"> • Policy LE1 – Dollis Valley Greenwalk Flood Risk 	<ul style="list-style-type: none"> • CS13 Ensuring the efficient use of natural resources 	<ul style="list-style-type: none"> • 5.12 Flood risk management 	<ul style="list-style-type: none"> • SI12 Flood risk management 	<p>Policy LE1 is consistent with Core Strategy Policy CS13 and the flood risk management policies in the adopted and emerging London Plans whereby the policy aims to reduce flood risk in the Dollis Valley Greenwalk. Policy CS18 identifies the need to <i>'make Barnet a water efficient borough and minimise the potential for fluvial and surface flooding by ensuring development does not cause harm to the water environment, water quality and drainage systems'</i>.</p> <p>Policy SI12 of the draft London Plan states <i>'Development proposals should ensure that flood risk is minimised and mitigated, and that residual risk is addressed. This should include, where possible, making space for water and aiming for development to be set back from the banks of watercourses'</i>. Policy LE1 meets this requirement.</p>

Neighbourhood Plan Policy	Barnet Core Strategy	London Plan 2016	Draft London Plan	Conformity
				This policy is in conformity with the strategic policies of the Development Plan.
<ul style="list-style-type: none"> • Policy LE2 – Trees 	<ul style="list-style-type: none"> • CS5 Protecting and enhancing Barnet’s character to create high quality places • CS13 Ensuring the efficient use of natural resources 	<ul style="list-style-type: none"> • 5.10 Urban greening 	<ul style="list-style-type: none"> • G5 Urban greening • G7 Trees and woodlands 	<p>Trees play an important part in the character of the Neighbourhood Plan Area. Policy LE2 is consistent with both Policy CS5 and Policy CS13 of the Core Strategy, whereby it is supporting the built form, character and natural environment.</p> <p>The policy is also in accordance with London Plan policies, whereby the policies promote strategic tree planting.</p> <p>This policy is in conformity with the strategic policies of the Development Plan</p>
<ul style="list-style-type: none"> • Policy LE3 – Air Quality 	<ul style="list-style-type: none"> • CS11 Improving health and well being in Barnet • CS13 Ensuring the efficient 	<ul style="list-style-type: none"> • 3.2 Improving health and addressing health inequalities 	<ul style="list-style-type: none"> • SI1 Improving air quality • T2 Healthy streets 	<p>Policy LE3 aims to improve air quality within the Neighbourhood Plan area and in turn, contribute to the improvement of air quality in Barnet. Core Strategy Policy CS11 aims to provide a healthy environment for residents to live, work and play, while Policy CS13 focusses on improving air</p>

Neighbourhood Plan Policy	Barnet Core Strategy	London Plan 2016	Draft London Plan	Conformity
	<ul style="list-style-type: none"> use of natural resources 			<p>quality in the context of the natural environment. Policy LE3 is consistent with the aims of both of Core Strategy policies.</p> <p>Similarly, Policy SI1 of the draft London Plan focusses on ensuring that proposals do not result in a deterioration of air quality. Policy T2 focusses on measures to ensure that London's streets provide a healthy environment for all road users, and Policy LE3 is in conformity with both these draft London Plan policies.</p> <p>This policy is in conformity with the strategic policies of the Development Plan.</p>
<ul style="list-style-type: none"> Policy T1 – Electric Charging Points 	<ul style="list-style-type: none"> CS9 Providing safe, effective and efficient travel CS13 Ensuring the efficient use of natural resources 	<ul style="list-style-type: none"> 5.2 Minimising carbon dioxide emissions 	<ul style="list-style-type: none"> T6 Parking 	<p>Policy T1 supports the inclusion of electric car charging points as part of development. The policy is consistent with Policy CS9 of the Core Strategy whereby CS9 specifically supports the use of low emission vehicles including electric cars. Similarly, the policy is consistent with Policy CS13 whereby the use of electric vehicles would contribute to a reduction in emissions and</p>

Neighbourhood Plan Policy	Barnet Core Strategy	London Plan 2016	Draft London Plan	Conformity
				<p>therefore improved air quality for the community. The draft London Plan policy T6 specifically addresses provision of rapid charging stations, and further promotion of electric charging points.</p> <p>This policy is in conformity with the strategic policies of the Development Plan</p>
<ul style="list-style-type: none"> • Policy T2 – On Street Parking 	<ul style="list-style-type: none"> • CS9 Providing safe, effective and efficient travel 	<ul style="list-style-type: none"> • 6.7 Better streets • 6.9 Cycling • 6.10 Walking • 6.11 Smoothing traffic flow and tackling congestion • 6.13 Parking 	<ul style="list-style-type: none"> • T2 Healthy streets • T6 Car parking • T6.1 Residential car parking 	<p>Policy T2 of the Neighbourhood Plan seeks to improve the current layout of on-street car parking. The policy is considered to be consistent with Policy CS9 of the Core Strategy, which recognises that many residents of the Borough will continue to own and travel by private car, and will therefore manage car parking carefully.</p> <p>At the heart of the London Plan’s healthy streets policy (T2) is a desire to improve health and reduce health inequalities, reduce car dominance, and promote walking, cycling and public transport. Neighbourhood Plan policy has been drafted to incorporate similar aspirations.</p>

Neighbourhood Plan Policy	Barnet Core Strategy	London Plan 2016	Draft London Plan	Conformity
				This policy is in conformity with the strategic policies of the Development Plan
<ul style="list-style-type: none"> • Policy T3 – West Finchley Underground Station 	<ul style="list-style-type: none"> • CS9 Providing safe, effective and efficient travel 	<ul style="list-style-type: none"> • 2.8 Outer London: Transport • 6.4 Enhancing London’s transport connectivity • 6.10 Cycling 	<ul style="list-style-type: none"> • T2 Healthy streets • T3 Transport capacity, connectivity and safeguarding • T5 Cycling 	<p>Policy T3 refer specifically to the West Finchley Underground Station and seeks to support any development proposal that would improve the function of that station. The policy is consistent with Core Strategy Policy CS9 which seeks to make cycling more attractive, as well as recognising the important of upgrades to TfL’s Northern Line route.</p> <p>The Neighbourhood Plan policy has been drafted with draft London Plan policies T2, T3 and T5 in mind, and is considered to be in conformity with these policies and the relevant adopted London Plan policies.</p> <p>This policy is in conformity with the strategic policies of the Development Plan</p>

5.0 To meet the relevant EU obligations

5.1 The Neighbourhood Plan has regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights and complies with the Human Rights Act. The table below sets out how the West Finchley Neighbourhood Plan meets the relevant EU obligations.

Obligation	How the Neighbourhood Plan is in conformity
The requirement to screen for and (if necessary) prepare a Strategic Environmental Assessment in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004 (as amended)	LBB has screened the Neighbourhood Plan to assess if an SEA is required and has concluded one is not. This is included at Appendix E1.
The requirement to screen for and (if necessary) prepare a Habitats Regulations Assessment in accordance with the Conservation of Habitats and Species Regulations 2010 (as amended)	The SEA Screening considers this matter and concludes there is no need for a Habitats Regulations Assessment.
Requirements with regards to Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora and Directive 2009/147/EC on the conservation of wild birds (often referred to as the Habitats and Wild Birds Directives respectively).	There are no Special Protection Areas within the Neighbourhood Plan Area nor in close proximity to the Neighbourhood Plan Area. There are also no Sites of Community Importance relevant to the Neighbourhood Plan. The SEA Screening does not raise any concerns with regards to protected habitats including those of wild birds.

6.0 Summary

- 6.1 This Legal Compliance Statement (including Basic Conditions Statement) demonstrates that the West Finchley Neighbourhood Plan meets the legal requirements (including basic conditions) required of Neighbourhood Plans.
- 6.2 We therefore recommend that LBB allows the Neighbourhood Plan to proceed to consultation prior to examination.

Appendix E1 SEA Screening Letter

Mr Salim Sabri, Chairperson
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Fax: 0870-889-6818
Date: 13 May 2019
Our Ref: WFNP/2019/revised ScreenResp

Dear Mr Sabri

Revised Response of LB Barnet to West Finchley Neighbourhood Plan (WFNP) Draft submitted for SEA Screening.

I refer to your original request of 21st February 2019 for a SEA screening opinion on the West Finchley Neighbourhood Plan. Further to our conference call of March 25th and our meeting of May 8th I can confirm the withdrawal of our screening decision letter of March 21st 2019.

Guidance on the assessment of Neighbourhood Plans in light of the SEA Directive is contained within the National Planning Practice Guidance. The guidance highlights triggers that may require the production of a SEA, for instance where: a neighbourhood plan allocates sites for development; the neighbourhood area contains sensitive natural or heritage assets that may be affected by the proposals in the plan.

In the absence of any proposal sites being identified within the designated area, there are unlikely to be significant environmental effects from the proposed plan.

Should the Plan change prior to Regulation 15 and new proposal sites are introduced the Forum should request a new screening opinion.

Yours Sincerely



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