

Barnet Local Plan EIP – Note on Matter 11 – Delivering the identified requirements over the Plan period (housing and employment)

Reason for producing this Note

At the hearing session on Wednesday 9th November which considered Matter 11: Delivering the identified requirements over the plan period (housing and employment). Inspector Wildgoose requested a note covering a number of issues relating to Delivery on Housing Land as well as Land for Employment, Retail and Leisure. This Note should include any resultant proposed modifications, should encompass the following matters:

Housing Land

- 1. Barnet to provide narrative behind any rounding and changes in Table 5.**
- 2. Update Table 5 following work and actions undertaken for Matter 10.**
- 3. Review table 5(a) and Housing Trajectory. General rule is that rounding in Table 5 should lead to a number below the total in the Housing Trajectory**
- 4. Provide justification for the reduction from 3 to 2.5 student units. Review the approach with regard to care homes and the housing supply trajectory. Signpost to London Plan ratios.**
- 5. Check consistency of terminology used reading across different policies, e.g. references to Cricklewood Town Centre Growth Area in GSS01 and to the Cricklewood Growth Area in other policies.**
- 6. Review the position on windfalls across Cricklewood, Edgware and Colindale Growth Areas together with Mill Hill East. Avoid double-counting.**
- 7. Reflect on additional 50 units windfall in Town Centres and consider removing 650 homes in total.**
- 8. Review supporting text for priority locations in light of any removal of windfalls. Review the approach on town centre intensification.**
- 9. Review the 600 homes figure proposed by MM44 for existing transport nodes, particularly in context of any changes to assumptions for site allocation nos 55 and 56**
- 10. Review the 950 figure WLO figure as not clear from which station locations this capacity is being realised.**
- 11. Review the 4,560 Estates figure. Provide clarification with respect to the Grahame Park Estate and the gap in the build-out rates in Trajectory.**
- 12. Provide update on changes to total figures for GSS11 following Note for that policy.**
- 13. Review 2,800 other sites figure and remove capacity behind car park redevelopment windfall for GSS12.**
- 14. Remove first 3 years of windfall from Plan period assumptions as permission should have already been granted for those developments.**

Land for Employment, Retail and Leisure

- 15. Reflect on SoCG for Brent Cross in terms of office and retail floorspace and pick up on proposed modifications.**

16. Reflect on impact of COVID on working patterns and whether the Plan should highlight priority evidence as part of review of (including Employment Land Study).
17. Plan needs to be realistic in what the Council can control particularly with the greater flexibility around Use Class E.
18. Reflect on approaches in ECY01(a) and (h) and para 9.9.4 in terms of town centre uses and the sequential test.
19. Reflect on where any supply will be located for the 7.3 to 13ha industrial land figure proposed, or set out an alternative approach and justification. Set out existing pipeline
20. Consider whether MIM29 should be a main modification.
21. Review BSS01 to reflect Brent Cross discussions and consider whether there needs to be a retail floorspace figure.
22. Reflect on the potential for a retail figure and any alternative approach to silence in the Plan.
23. Review the approach to the sequential test, and move into TOW01. Review the area of search for sequential testing.
24. Consider whether offices should be removed from the retail impact assessment test, having regard to NPPF para.90. Review LB Havering Local Plan and London Plan in that respect.

Background

Following submission of the Barnet Local Plan in November 2021 the Council in June 2022 produced a table of proposed modifications (EXAM 4). This document was produced after consideration of the Reg 19 soundness representations received, together with subsequent discussions with parties on the drafting of Statements of Common Ground.

During the examination hearing session where Matter 11 was discussed, proposed modifications were considered, together with aspects of wording of policy and supporting text in the submission Plan. In light of that discussion, the Inspector has requested further clarification, explanation and justification of the matters detailed in this note; the Council now proposes a series of additional further modifications as set out below.

In producing this Note the Council refers to the following Notes and Examination documents.

EXAM86	Note on Housing Trajectory March 2023
EXAM19	Note on Small Sites
EXAM24	Note on Office Space and Policy ECY01
EXAM26	Note on Industrial Land
EXAM38	Note on Retail
EXAM75	Note on Site Allocations

The following format has been used in this Note to denote further proposed modifications to the submission version of plan as revised by the proposed modifications listed in EXAM 4.

~~Strikethrough text~~ to indicate text proposed for removal.

Underlined text to indicate additional text.

Consequential changes as Further Proposed Modifications will be made throughout the Plan within policies (in particular BSS01 and GSS policies) and supporting text to confirm the revisions to Table 5.

Consideration

Housing Land

1. **Barnet to provide narrative behind any rounding and changes in Table 5**

The Council will ensure consistency between the numbers in Table 5 and those referred to in the individual Growth and Spatial Strategy policies. Further proposed modifications to the Reg 19 Table 5 (following MM36) are set out in Appendix A. This replaces MM36 from EXAM4.

The Council's Note on Housing Numbers - EXAM36 provides a breakdown by proposals and consents for each element of Table 5. EXAM36 together with the Site Allocations Note – EXAM75 and the Housing Trajectory Note - EXAM86 provide the background for changes to Table 5.

In summary for the Growth Areas and Mill Hill East -

Brent Cross Growth Area – revisions from a total of 7,500 units in the lifetime of the Local Plan down to 6,890 units reflect rounding down and updated delivery expectations on the build out of the S73 consent F/04687/13.

Colindale Growth Area – revisions from a total of 4,100 units in the lifetime of the Local Plan up to 4,570 units reflect rounding down and reduced indicative capacities at Proposal Sites 11,12 and 13 together with a re-examination of delivery of the consents for Stages 2 and 3 of the Colindale Gardens development (H/04753/14, 16/7836/S73, 19/6512/OUT).

Cricklewood Growth Area - revisions from a total of 1,400 units in the lifetime of the Local Plan down to 900 units reflect rounding down and reduced indicative capacities at Proposal Sites 7 and 8 together with removal of the town centre windfall uplift in years 11 to 15.

Edgware Growth Area – revisions from a total of 5,000 in the lifetime of the Local Plan down to 4,860 reflect rounding down and removal of the Growth Area windfall uplift in years 11 to 15.

Mill Hill East – Table 5 clarifies that this is not a Growth Area. Revisions from a total of 1,500 units in the lifetime of the Local Plan up to 1,710 units reflect the planning consent (22/0649/FUL for 184 units) at Site 49 – Watchtower House as well as the remaining build out of NIMR (16/4545/FUL) which previously (as part of EXAM4 had not been counted as an element of housing supply in Mill Hill East). Another reason for the revised number is the re-examination of delivery of the consents for remaining phases of the Millbrook Park development (H/03904/12, 15/0641/OUT, 19/5827/FUL).

With regards to the **District Town Centres** numbers have been revised downwards as a consequence of the removal of the town centre windfall uplift in years 11 to 15, rounding down and reduced indicative capacities on Proposal Sites.

Additional narrative about the changes to Table 5 is set out in the responses below. The Council confirms that numbers have been rounded down to the nearest 10 in Table 5.

The Council also highlights that (as shown in Appendix A) Table 5A has been updated. This replaces MM37 from EXAM4. The indicative capacities of the proposals sites have been subject to revision downwards through the Site Allocations Note EXAM75.

2. Update Table 5 following work and actions undertaken for Matter 10.

Table 5 as set out in Appendix A has been revised following the completion of work on Site Allocations (EXAM 75) which has fed into the Housing Trajectory update as set out in the Housing Trajectory Note. On the basis of proposed modifications to Table 5, the Council now estimates that the Local Plan can over its 15 year period supply a total of 41,620 new homes by 2036. This compares with an estimated supply of 44,000 in MM36(EXAM 4) and 46,000 in the Reg 19 Local Plan.

The proposed modification to Table 5A shows that Site Allocations will contribute 15,965 new homes. This compares with a total of 17,350 new homes in MM37 and 17,200 in the Reg 19 Local Plan.

Further detail on updates to Table 5 and Table 5A are set out at Point 3.

3. Review table 5(a) and Housing Trajectory. General rule is that rounding in Table 5 should lead to a number below the total in the Housing Trajectory

The Housing Trajectory shows that 40,458 new homes will be delivered in the 15 years between 2022/23 and 2036/37. The Trajectory is based on planning consents and allocations. It therefore does not include any uplift for the broad locations of Brent Cross West (Staples Corner) Growth Area and New Southgate Opportunity Area (Crossrail 2) in years 11 to 15 of the Plan. The Council's approach to using uplifts is explained further at Point 6.

Table 5 does include expected contributions to housing supply from Brent Cross West (Staples Corner) (1,800 units) and New Southgate (under Crossrail 2) (250 units).

Table 5 does not include the 124 units expected to be delivered in 2036/37 as part of the long term regeneration of Grahame Park Estate as this is outside the 15 years of the Local Plan.

The Housing Trajectory does not include any uplifts and has not been subject to any rounding down.

Numbers in Table 5 have been rounded down in 10s. This is appropriate given that the Council wants to show the contributions to supply from a wider range of sources including the 13 individual district centres that are not Growth Areas.

The Council confirms a total of 41,620 new homes in Table 5 which for the reasons set out above is higher than the Housing Trajectory total of 40,458 new homes. To enable direct comparison with the Trajectory the actual number for estimated supply (ie before rounding down) is 41,791 units.

Numbers in Table 5A have not been rounded down. This is because of the direct correlation with the sites schedule The Council can confirm that the numbers reflect the Site Allocations Note (EXAM 75).

4. Provide justification for the reduction from 3 to 2.5 student units. Review the approach with regard to care homes and the housing supply trajectory. Signpost to London Plan ratios.

The London Plan at para 4.1.9 clearly states that 'net non-self-contained accommodation for students should count towards meeting housing targets on the basis of a 2.5:1 ratio, with two and a half bedrooms/units being counted as a single home.' Figures for student accommodation have therefore been revised to reflect this clarification in the London Plan. Para 4.1.9 also clarifies that 'net non-self-contained accommodation for older people (C2 Use Class) should count towards meeting housing targets on the basis of a 1:1 ratio, with each bedroom being counted as a single home.' All other net non-self-contained communal accommodation (including HMOs) should count towards meeting housing targets on the basis of a 1.8:1 ratio, with eight bedrooms/units being counted as a single home. The approach to monitoring net housing provision from different forms of non-self-contained accommodation is this form of supply based on the amount of self-contained housing that will be freed up by this type of supply.

5. Check consistency of terminology used reading across different policies, e.g. references to Cricklewood Town Centre Growth Area in GSS01 and to the Cricklewood Growth Area in other policies.

The Council will ensure as part of the Modifications process that the Plan is proofread and that such inconsistencies of terminology are resolved.

6. Review the position on windfalls across Cricklewood, Edgware and Colindale Growth Areas together with Mill Hill East. Avoid double-counting.

The Council in reviewing Table 5 has sought to avoid double-counting and the use of windfall allowances. The Council refers to its response at Point 1 of the Housing Trajectory Note (EXAM86) with regards to small site development of 1 to 9 units. It also refers to its responses at points 7 and 8 of this Note with regards to windfalls on other sites. The Council re-iterates that historically it has not utilised a large sites windfall projection in its housing trajectories.

With regards to Table 5A there is only one site allocation of less than 10 units - Site 34 - Burroughs Gardens Carpark The Burroughs NW4 4AU. To avoid double-counting this has been removed from the calculations for Table 5A and the Housing Trajectory.

Table 5 reflects broad locations for growth in years 11 to 15 of the Plan. These broad locations consist of the Growth Area of Brent Cross West (Staples Corner) and New Southgate Opportunity Area where longer term regeneration opportunities, realised as a consequence of the implementation of Local Plan and London Plan policies, are likely to come forward. An uplift has therefore been provided in years 11 to 15 for Brent Cross West and New Southgate with the justification for numbers provided by EXAM 36. The Council has removed uplifts from all other locations (including District Town Centres) as well as for West London Orbital as locations had not been specified). It therefore confirms that Brent Cross West (Staples Corner) and New Southgate are the only broad locations with an uplift.

The Council confirms that the figures in years 11 to 16 for all other locations reflect either proposals in the Local Plan (including the outcomes of the Site Allocations Note (EXAM 75)) or the build-out of existing planning consents.

7. Reflect on additional 50 units windfall in Town Centres and consider removing 650 homes in total.

The Council acknowledges that in smaller locations such as Town Centres an allowance has already been made for uplift through the small sites allowance for schemes of less than 10 units. In order to avoid double counting the Council has removed the years 11 to 15 uplift allowance from town centres. As highlighted above, the Council confirms that the figures in Years 11 to 16 for town centres reflect either proposals in the Local Plan (including the outcomes of the Site Allocations Note (EXAM 75)) or the build-out of existing planning consents.

8. Review supporting text for priority locations in light of any removal of windfalls. Review the approach on town centre intensification.

The Council refers to its response at Point 7 with regards to removing windfalls in town centre. It also acknowledges that there is only one reference to a 'priority location' within the Local Plan and that is within Policy TOW01, the opening of which states 'The Council will promote the vitality and viability of the Borough's town centres by managing a strong hierarchy of town centres as the priority location for commercial, business and service uses.' This approach is realistic in not over-stating the Council's power and its ability to affect change.

The Council is progressing a Statement of Common Ground with Regal JP North Finchley Ltd. Regal JP has been working with the Council to develop the overall spatial vision and wider growth strategy for North Finchley Town Centre. As part of this SoCG a number of modifications have been proposed to Policy GSS08 – District Town Centres to reflect the Council's aim that North Finchley town centre is a location promoted for revitalisation and intensification, where proposals that optimise residential density on under-utilised sites will be supported. These proposed modifications to GSS08 are set out at Appendix B.

The Council considers that there is merit in emphasising the importance of residential revitalisation and intensification on Policy TOW01. Accordingly, it proposes to add this sentence to the start of the 2nd para

Investment in residential led mixed use development will help to fund public realm and infrastructure improvements making district town centres more attractive places to live, visit and enjoy.

The Council also consider that there are merits in making a reference at para 7.6.2 to better emphasise the support for residential intensification in town centres as a new second and third sentence :

While retailing remains important in town centres, but housing, as a consequence of residential led intensification, makes a greater contribution to the town centre's diversification and overall 'offer'. Investment in residential led mixed use development will help to fund public realm and infrastructure improvements.

9. Review the 600 homes figure proposed by MM44 for existing transport nodes, particularly in context of any changes to assumptions for site allocation nos 55 and 56.

In EXAM4 the proposed modification to GSS01c, as set out at MM44, with regards to the number of homes was justified by a need to be consistent with an update to Table 5. The

Council has updated Table 5 with regards to the Site Allocation Note (EXAM 75) and the proposed changes to the indicative capacity of Site 56 – Woodside Park Station West, revised downwards from 356 to 270 units. Table 5 as shown in Appendix A now provides a figure of 360 for Existing Public Transport Nodes. This is the sum of Sites 55 and 56 including planning consent 19/4293/FUL.

10. Review the 950 figure West London Orbital (WLO) figure as not clear from which station locations this capacity is being realised.

The Council refers to its previous responses with regards to the use of uplift. Unlike Brent Cross West (Staples Corner) and the New Southgate Opportunity Area (Crossrail 2), the Plan is less clear about where the 950 new homes figure is sourced in terms of locations around the stations being served by the WLO. There is also some ambiguity in terms of double counting with capacities identified at Cricklewood Growth Area and Brent Cross West (Staples Corner) Growth Area as well as the Major Thoroughfares.

Upon reflection the Council considers that the WLO station locations that would realise this capacity are undefined and that it would not be justified to consider them as broad locations for growth in the same way as Brent Cross West (Staples Corner) and New Southgate.

As shown in Appendix A the Council proposes to delete West London Orbital as a row from Table 5 and therefore remove the indicative capacity of 950 homes from the total supply.

A consequential change as a further proposed modification will be made to Policy GSS09.

11. Review the 4,560 Estates figure. Provide clarification with respect to the Grahame Park Estate and the gap in the build-out rates in Trajectory.

The Council refers to its response at point 8 of EXAM86 with regards to the build out rates at Grahame Park which is a long term estate regeneration scheme which is not expected to complete before 2037. Gaps in delivery reflect the complexity of regenerating a large housing estate demolishing existing homes and providing new ones, with build-out on 13 separate plots, ensuring that this is in accordance with Mayor's Good Practice Guide to Estate Regeneration. The Trajectory has been updated with the latest regeneration programmes for the Borough's housing estates. The net figures reflect the updated programme that takes account of demolitions as well as completions.

As shown in Appendix A, the Council proposes to revise the figure for Estate Renewal and Infill down from 4,440 units (as set out in Reg 19 and unchanged in EXAM4) to 3,980. This reflects a re-examination of the of the estimated 4,560 units (as set out in EXAM9 – Sites Delivery Technical Paper and EXAM36 – Note on Housing Numbers) and ensuring that demolitions have been accounted for.

12. Provide update on changes to total figures for GSS11 following Note for that policy.

In terms of the calculations for the capacity arising through the Major Thoroughfares the Council refers to EXAM 57 (with regards to GSS11) and EXAM 75 in respect of Site Allocations. As shown in Appendix A the Council proposes to revise the figure for Major Thoroughfares from 3,350 to 3,880. EXAM36 provides a breakdown by proposals and consent with regards to a total of 3,830 units for Major Thoroughfares.

The indicative capacities of the proposals sites have been subject to revision upwards and downwards through the Revised Site Allocations Note EXAM75. The Revised Note sets out reasons why the number for Proposal Site 5 – Edgware Hospital has increased by 100 units, while Proposal Site 65 – Barnet Mortuary now has a planning consent (22/3385/FUL) for 60 new units an increase of 40 units. Indicative capacities have come down, for reasons set out in that Note, at Proposal Site 51 Great North Road Local Centre, a drop of 57 units, and at Proposal Site 63 – Philex House, a reduction of 26 units. As a consequence, the change to the EXAM36 number is 21 units reflecting an increase of 104 units minus a decrease of 83 units. Through rounding down a figure of 3,880 units is arrived at.

13. Review 2,800 other sites figure and remove capacity behind car park redevelopment windfall for GSS12.

The Council confirms that it has removed capacity behind car park redevelopment. This amounted to 100 units. Indicative capacities to other sites have been reduced. As shown in Appendix A, the Council proposes to revise the figure for Other Sites from 2,800 to 2,560.

EXAM36 provides a breakdown by proposals, consents and car parks uplift with regards to a total of 2,505 units for Other Sites. The indicative capacities of the proposals sites have been subject to revision downwards through the Site Allocations Note EXAM75. Indicative capacities have been removed, for reasons set out in the Note, from Proposal Site 32 Manor Park Road car park (7 units). Proposal Site 34 Burroughs Gardens Car Park(9 units) is not counted as it is already part of the small sites windfall. Proposal Site 18 – Former East Barnet Library has been reduced by 6 units. As a consequence the change to the EXAM36 number is 126 (this includes removal of the 100 unit car park uplift). Through rounding down a figure of 2,560 units is arrived at.

The Council also refers to the proposed modifications at EXAM 19 which introduced Table 5B Contribution of Medium and Small Sites on Sites Schedule to New Homes Delivery. Subject to the Inspector led consultation on the Notes the Council will update Table 5B to reflect outcomes of the Site Allocations Note (EXAM75).

14. Remove first 3 years of windfall from Plan period assumptions as permission should have already been granted for those developments.

The Council refers to its response on small site windfalls in EXAM86 the Note on the Housing Trajectory. It also highlights the revision to Table 5 to clarify that small sites are units on development of less than 10 homes. This approach also helps ensure consistency with the Housing Trajectory.

Land for Employment, Retail and Leisure

15. Reflect on SoCG for Brent Cross in terms of office and retail floorspace and pick up on proposed modifications.

The Council refers to EB_SoCG_19 which is a Statement of Common Ground between the Council, Brent Cross South Limited Partnership and Standard Life Investments Brent Cross LP / Hammerson (Brent Cross). This sets out a number of proposed modifications to BSS01(a), para 4.5.5, GSS01, para 4.9.4 (revision to MM48), GSS02 and para 7.5.1 (revision to MM189) with regards to office and retail floorspace. In summary the proposed modification to BSS01(a) clarifies the office floorspace figure for the Growth Area and replaces specific reference to the retail floorspace with a 'new mixed use Metropolitan Town Centre at Brent Cross Growth Area'.

The total consented retail floorspace for the Brent Cross Growth Area is reflected in a proposed modification to para 4.5.5. The proposed modification refers to 'up to 115,000m² of retail floorspace'. This updated figure is based on the 2014 outline consent.

The Council refers to EXAM 24 – Note on Office Space and Policy ECY01 with regards to another proposed modification to BSS01(ii) in relation to provision of between 67,000m² and 106,000m² of new office space in Barnet's town centres.

The Council considers that the proposed modifications to Policy BSS01 help to clarify the Council's ambitions for retail and office floorspace.

16. Reflect on impact of COVID on working patterns and whether the Plan should highlight priority evidence as part of review of (including Employment Land Study).

The Council refers to the recent addition of evidence (EXAM76) relating to labour market projections in London by GLA Economics. This provides an updated reference case that can be refined as some of the labour market uncertainties associated with the COVID-19 pandemic become clearer. The methodology of the projections was revised to take account of the short-term COVID-19 effects on working practices. However, they do not make changes to the long term approach. While the COVID-19 pandemic significantly reduced employment and output in London, GLA Economics forecast that both will return to pre-crisis levels by 2023-24.

The COVID-19 pandemic clearly affected working practices, commuting patterns and location choices for businesses and households. However, it is still unclear how strong and enduring these effects will be over the long term, and whether in the aggregate they will result in an increase or decrease in the overall number of jobs located in Barnet.

The Council acknowledges that the ongoing impacts of the COVID-19 pandemic, alongside Brexit and cost-of-living pressures, mean there is a significant degree of uncertainty around these projections and reliance on evidence such as the Employment Land Study. It is therefore anticipated that key judgements will be revisited with the assistance of expert specialist advice as further data is made available and can be incorporated into modelling. The Council expects to have a fuller picture on these impacts as part of the evidence base commissioned to support the early review of the Local Plan.

This view is reinforced by the West London Alliance Town Centres Study Phase 1 Paper (EXAM137) . This Phase 1 Paper is the first in a series being produced as part of a Town Centre Study for the West London Alliance. The Paper focusses on analysing

and describing trends in data since 2012 for West London town centres rather than seeking to draw any firm conclusions.

The Town Centres Study data does not appear to bear out a narrative of significant shifts in the pre-existing long-term trends in West London town centres in response to the pandemic. Over a longer-term time horizon, there has been significant growth in office and retail space. This did not appear to slow significantly during and post Covid – perhaps reflecting the long-term nature of construction and real estate investment decisions.

The Phase 2 Paper will take a more qualitative approach, based on an analysis of long-term retail, planning, and socio-economic trends across five boroughs (including LB Barnet) in West London. This will include an assessment of the impact on town centres of the changes to permitted development. This analysis will be synthesised to produce a clear set of options and recommendations for future development. This Study is not expected to be completed until later in 2023 and will form part of the supporting evidence base for the early review of the Local Plan.

17. Plan needs to be realistic in what the Council can control particularly with the greater flexibility around Use Class E.

The Council refers to EXAM38 Note on Retail in which it was clarified through modifications to TOW02 that it is more realistic to refer to safeguarding main town centre uses but with a strongly expressed preference for the retention of retail uses within the primary frontages that comprise the primary shopping areas. Introducing this greater flexibility of uses (and realism) into TOW02 should help in reducing the likelihood of long-term vacancies as well as making it easier to reuse and repurpose units that have traditionally provided retail uses and where there is now demonstrably no demand for the retention of this use.

In response to point 11 of EXAM38 the Council clearly sets out the anticipated implications of the introduction of Use Class E with particular regard to unintended consequences and the need for the impacts to be carefully assessed with regards to informing the review of the Local Plan. As previously highlighted, work is underway on the West London Town Centres Study which will assess the impact of permitted development on town centres. This, and any follow up evidence that the Council decides to commission, will help inform the review of the Local Plan.

18. Reflect on approaches in ECY01(a) and (h) and para 9.9.4 in terms of town centre uses and the sequential test.

The Council refers to EXAM38 and its response to Inspector Wildgoose. The Inspector requested more explanatory detail regarding the application of the sequential approach, including clarification on area of search, and in particular whether a starting point could be established as to how the sequential assessment would be applied. To clarify this the Council has set out a modification to the supporting text for TOW01. This states:

When considering planning applications for main town centre uses (as defined in both the NPPF and the London Plan) in locations that are not within an existing centre nor identified as a proposal in this plan, the Council will apply the sequential test as set out in the NPPF (paragraphs 87 and 88) and Policy SD7 part A1 of the London Plan. In identifying potential sites for main town centre uses it may be necessary for the area of search to extend across into neighbouring local authority areas.

The Council acknowledges that there are merits in repeating this text in new para 9.9.3A and deleting the first sentence of para 9.9.4.

~~*Outside LSIS all employment spaces will be protected where viable to enhance Barnet's local economy and support enterprise potential.*~~

It also considers that there are merits in reflecting the proposed modification to TOW02 in a revision to ECY01A as follows

Within Major and District Safeguarding office space in Town Centres and edge-of-centre locations main town centre uses (including offices) are safeguarded as part of the Commercial, Business and Service (Use Class E). Any proposals for redevelopment (outside of Use Class E) of office uses outside these locations must demonstrate that the site is no longer suitable and viable and that an alternative business use including affordable workspace solutions has been considered and that a suitable period of active marketing has been undertaken. Where this can be demonstrated the proposal will be expected to provide appropriate mixed use re-development including residential and community use as well as re-provision of employment use.

Upon further reflection the Council also considers that ECY01h is no longer merited as the Article 4 Direction (EB_E_07) expired in July 2022. Consequently, MM223 is withdrawn

~~*Seeking to protect existing office accommodation and light industrial uses in areas covered by Article 4 Direction. The loss of employment accommodation in these areas will not be supported.*~~

19. Reflect on where any supply will be located for the 7.3 to 13ha industrial land figure proposed, or set out an alternative approach and justification. Set out existing pipeline

After a period of reflection the Council has reconsidered EXAM26 Note on Industrial Land and the proposed modification to BSS01 in relation to delivering between 7.3 and 13.5 hectares of industrial land. The Council acknowledges that the proposed modification gives the impression of a target which the Council is seeking to deliver through the Local Plan.

The 7.3ha figure is in the London Industrial Land Demand Study (LILDS) [EB_E_06] which was used to determine if London Boroughs should supply more, retain, or reduce the amounts of industrial land in their respective Boroughs. The West London Employment Land Review (WLELR) [EB_E_09] determined that the Borough had a demand for 13.5ha of land with the majority of this demand being driven by the logistics sector.

The proposed modification to BSS01 was intended to reflect an aspiration for additional industrial land based on Local Plan assessments of demand. It was intended to clarify that the Council's approach through this Plan has been to encourage the retention of employment land in the Borough, 50.7 hectares of which is on Locally Strategic Industrial Sites, an approach which the Mayor of London supports.

The Council has not allocated land for employment but has set the parameters through the Local Plan policy framework to guide the market in determining where proposals for new industrial uses may be brought forward. This approach is proving to be reasonable as the Council is being approached for the redevelopment of sites in various locations in

the Borough, usually close to the Strategic Road Network, although not all of these reach application stage.

In terms of Barnet's industrial land pipeline the Council is currently considering an application to change Pentavia Retail Park (20/5933/FUL) to a storage and distribution warehouse centre (Use Class B8) with ancillary offices. The Pentavia site is 3.94ha and the proposed building gross internal floor area is 9410sqm. Therefore this site alone would provide a considerable contribution to the provision of industrial land.

There are other sites across the Borough that would be suitable for industrial use that are not currently designated as such. The current market for industrial use is focussed on logistics, this includes last mile distribution which would be suited to edge of Town Centres locations.

The London Plan does not require boroughs to identify land for industrial use, instead it recommended that boroughs should encourage the intensification of use of the designated industrial sites, London Plan Policies E4 and E6 and Local Plan Policy ECY01 support this approach.

In conclusion the Council proposes to withdraw the proposed modification to BSS01 in EXAM26 and replace it with the following :

In order to make the Council's vision for Barnet happen, the Local Plan seeks to deliver between 2021 and 2036

vi) the policy framework (as set out in Policy ECY01) for safeguarding the Locally Significant Industrial Sites (50.7 ha) and the parameters for guiding the provision of additional industrial land.

20. Consider whether MIM29 should be a main modification.

The Council agrees that clarification on strategic policies is a matter for a Main Modification. The Council refers to EXAM 16 which explains why the Council have exercised their judgement that each policy listed in MM17 is considered to be a strategic policy.

21. Review BSS01 to reflect Brent Cross discussions and consider whether there needs to be a retail floorspace figure.

The Council refers to EB_SoCG_19 which sets out a proposed modification to BSS01(a) which clarifies the office floorspace figure for the Growth Area and replaces specific reference to the retail floorspace with a 'new mixed use Metropolitan Town Centre'. The retail floorspace figure of 56,600m² proposed by MM19 only relates to additional retail floorspace at Brent Cross North and doesn't relate to other consented retail floorspace at both Brent Cross North and Brent Cross Town. The total consented retail floorspace for the Brent Cross Growth Area is reflected in a proposed modification to para 4.5.5. The proposed modification refers to 'up to 115,000m² of retail floorspace'.

22. Reflect on the potential for a retail figure and any alternative approach to silence in the Plan.

The Council remains of the view outlined in its Matter 4 Statement that there are good reasons for not specifying a retail floorspace figure. The world has moved on some way since the TCFNA was published and considerable uncertainties remain. On the basis of

gaining a better understanding of these uncertainties the Council, together with four other west London boroughs, has commissioned the Town Centre Study. This Study is not expected to be completed until later in 2023 and will form part of the supporting evidence base for the early review of the Local Plan.

The Council also considers that its ambitions for a new Metropolitan Town Centre at Brent Cross as set out within EB_SoCG_19 are a pragmatic and more realistic spatial strategy than setting out a floorspace figure based on TCFNA evidence that has quickly become dated.

The Council considers that the Plan, with the support of further proposed modifications, provides a flexible, realistic and pragmatic approach to retail as a main town centre use. It considers that there is a sufficient policy framework (particularly within Policy TOW01) to consider applications for retail.

23. Review the approach to the sequential test, and move into TOW01. Review the area of search for sequential testing.

The Council refers to its previous response at Point 18 and the proposed modification to supporting text for TOW01 as set out within EXAM38 – Note on Retail with regards to the sequential test. The Council has reviewed recently adopted local plans of London boroughs and notes that none make specific reference to an area of search for the sequential test. However the Council acknowledges that there may be some merits in providing guidance for the parameters of the sequential test as an additional sentence to para 7.6.7.

When considering whether a development is of an appropriate scale, consideration will be given to factors such as the size and amount of town centre floorspace being provided and where this is appropriate in relation to the town centre network set out in Annex 1 of the London Plan and Table 13 of the Local Plan.

24. Consider whether offices should be removed from the retail impact assessment test, having regard to NPPF para.90. Review LB Havering Local Plan and London Plan in that respect.

The Council acknowledges that NPPF para 90 clearly refers to retail and leisure development in terms of requirements for a retail impact assessment. No reference is made to offices.

The Council also acknowledges that Policy 13 in Havering's 2021 adopted plan states that :

“An impact assessment will be required for retail, leisure and office developments over 200 sq m in edge or out of centre locations.”

The Council notes that Policy 13 was drafted prior to the changes to the Use Classes Order. LB Havering state at para 1.1.7 that the new London Plan and the National Planning Policy Framework 2021 were published since the Local Plan was submitted for Examination. The immediate update of the Local Plan will also take account of the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 that came into force on 1 September 2020.

With regards to the London Plan the Council notes that Policy SD7 – Town centres: development principles and Development Plan Documents - Part A point 2 states that boroughs should:

“require an impact assessment on proposals for new, or extensions to existing, edge or out-of-centre development for retail, leisure and office uses that are not in accordance with the Development Plan. Applications that are likely to have a significant adverse impact should be refused.”

However, reference is made at SD7 Part B point 2 to limited exceptions for existing viable office locations in Outer London - with a cross reference made to Policy E1 Offices.

London Plan para 6.1.4 states that “Outer London will see growth in office employment but the development of significant new office floorspace is anticipated to be focused in selected locations, particularly in west and south London”

Policy E1 Part C highlights the unique agglomerations and dynamic clusters of world city businesses and other specialist functions of the London office market. No reference is made to any locations in Barnet.

In terms of the other locations Policy E1 part D states:

“The diverse office markets in outer and inner London (outside the areas identified in Part C) should be consolidated and – where viable – extended, focusing new development in town centres and other existing office clusters supported by improvements to walking, cycling and public transport connectivity and capacity”

The Council has therefore decided to revisit its requirement for an impact assessment for significant office development at para 7.6.8 and proposes the following modification:

Proposals for significant retail, ~~office~~ or leisure development (of more than 500m² gross internal floorspace) outside of Barnet’s town centres will require an impact assessment demonstrating that there would be no adverse impact on the vitality and viability of the designated centre.

The Council also proposes a modification to Policy TOW01(d) Vibrant Town Centres

In addition, any proposal of more than 500 m² of retail, ~~office~~ or leisure development in an edge or out of centre location must be supported by an impact assessment.

Conclusion

The Council invites the Inspectors to consider and recommend that the Council makes the further modifications set out in this paper recognising that those considered to be Main Modifications will need to be formally consulted upon following the examination hearing sessions.

The Council confirms that consequential changes as Further Proposed Modifications will be made throughout the Plan within policies and supporting text to confirm the revisions to Table 5.

APPENDIX A – Table 5 (Replaces MM36)

		Years 1-5	Years 6-10	Years 11-15	Total Supply
		2021/2 2 – 2025/2 6	2026/2 7 – 2030/3 1	2031/3 2 – 2035/3 6	
Growth Areas and Mill Hill East	Brent Cross	600 <u>1,330</u>	3,000 <u>3,020</u>	3,900 <u>2,540</u>	7,500 6,890
	Brent Cross West	-	-	1,800	1,800
	Cricklewood	1,250 <u>240</u>	150 <u>660</u>	-	1,400 900
	Edgware	400 <u>170</u>	3,250 <u>2,790</u>	4,650 <u>1,900</u>	5,000 4,860
	Colindale	3,000 <u>2,070</u>	1,100 <u>2,500</u>	-	4,100 4,570
	Mill Hill East	1,200 <u>1,280</u>	-200 <u>310</u>	400 <u>120</u>	1,500 1,710
	Growth Areas Total	6,150 5,090	7,700 9,280	7,450 6,360	21,300 20,730
District Centres	Burnt Oak	150	0	50 <u>0</u>	200 150
	Chipping Barnet	350 <u>200</u>	300 <u>200</u>	50 <u>190</u>	700 590
	Colindale - The Hyde	0	0	50 <u>0</u>	50 0
	Finchley Central Church End	350 <u>10</u>	550 <u>470</u>	50 <u>270</u>	950 750
	Golders Green	0	0	50 <u>0</u>	50 0
	North Finchley	350 <u>0</u>	700 <u>1040</u>	50 <u>0</u>	1,100 1,040
	Brent Street	0	0	50 <u>0</u>	50 0
	East Finchley	50 <u>20</u>	150 <u>50</u>	400 <u>130</u>	300 200
	Hendon Central	0	0	50 <u>0</u>	50 50

				<u>0</u>
Mill Hill Broadway	0	50	50 0	100 50
New Barnet	350 560	500 530	400 40	950 1,130
Temple Fortune	0	0	50 0	50 0
Whetstone	400 260	0 590	600 0	700 850
District Centres Total	1,700 1,050	2,250 2,930	1300 780	5,250 4,760
Cross Rail 2 (New Southgate Opportunity Area)	0	0	250	250
WLO	0	500	450	950
Existing Public Transport Nodes	200 180	400 180	0	600 360
Existing & Major New Public Transport Infrastructure Total	200 180	900 180	700 250	1,800 610
Estate renewal & Infill Total	1,350 1,090	2,500 1,840	550 1,050	4,400 3,980
Major Thoroughfares Total	4400 1,500	4300 2,280	0 100	3,350 3,880
Other large sites Total	4,100 1,000	4,500 1,540	200 20	2,800 2,560
Small Sites (under 10 units 0.25 ha) Total	1700	1700	1700	5,100
Total	14,250 11,610	17,850 19,750	11,900 10,960	44,000 41,620

Table 5A Contribution of Identified Sites on Sites Schedule to New Homes Delivery (Replaces MM37)

	Years 1-5	Years 6-10	Years 11-15	Total

	1,550 <u>184</u>	4,400 <u>4,254</u>	1,550 <u>2,029</u>	7,500 <u>6,467</u>
Growth Areas				
District Centres	1,150 <u>521</u>	1,700 <u>2,486</u>	700 <u>642</u>	3,550 <u>3,649</u>
Existing & Major New Public Transport Infrastructure	250 <u>360</u>	1,000 <u>568</u>	-	1,250 <u>928</u>
Estate renewal & infill	-2	500 <u>286</u>	198	500 <u>482</u>
Major Thoroughfares	1,400 <u>846</u>	1,300 <u>1,779</u>	105	2,700 <u>2,730</u>
Other large sites	350 <u>242</u>	1,500 <u>1,440</u>	27	1,850 <u>1,709</u>
Contribution from Sites Schedule Total	<u>4,700</u> <u>2,151</u>	<u>10,400</u> <u>10,813</u>	<u>2,250</u> <u>3,001</u>	<u>17,350</u> <u>15,965</u>

APPENDIX B - PROPOSED MODIFICATIONS WITH REGARDS TO POLICY GSS08 – DISTRICT TOWN CENTRES

Note – This is the most up to date version of Proposed Modifications for GSS08 (and supersedes EXAM 38 – Note on Retail)

Ref	Existing text	Track changes
<p>Para 4.21.1</p> <p>MM95 is withdrawn</p>	<p>Barnet has an extensive town centre network with a range of locations where appropriate renewal and regeneration can support the Borough’s growth needs. Thriving town centres are essential for the Borough to grow sustainably and successfully. Barnet’s Growth Strategy highlights those town centres that have been prioritised, for improving the town centre offer</p>	<p>Barnet has an extensive town centre network with a range of locations where appropriate renewal and regeneration can support the Borough’s growth needs. Thriving town centres are essential for the Borough to grow sustainably and successfully. Barnet’s Growth Strategy highlights those town centres (<u>Burnt Oak, Chipping Barnet, Edgware, Finchley Church End (Finchley Central), Golders Green and North Finchley</u>) that have been prioritised, for improving the town centre offer.</p>
<p>Para 4.21.4</p>	<p>In order to be successful and thriving Barnet’s town centres will have to adapt and take advantage of the increased flexibility provided by the 2020 radical overhaul of the Use Classes Order.</p>	<p>In order to be successful and thriving Barnet’s town centres will have to adapt and take advantage of the increased flexibility provided by the 2020 radical overhaul of the Use Classes Order. <u>The changes to the Use Classes Order (2020) remove restrictions on changes of use and allow greater flexibility as well as opportunities to change between town centre uses, supporting town centre vitality and viability.</u></p>
<p>Para 4.21.5</p>	<p>Barnet’s town centres are important locations not only for retail, but also provide a focus for community and family friendly activities and a sense of civic pride, often containing valued heritage assets. The importance of town centres as sites of employment is reflected in the Council’s Article 4 Direction restricting the conversion of offices to residential. The renewal of</p>	<p>Barnet’s <u>district</u> town centres are important locations not only for retail, but also provide a focus for community and family friendly activities and a sense of civic pride, often containing valued heritage assets. The importance of town centres as sites of employment is reflected in the Council’s Article 4 Direction restricting the conversion of offices to residential. The renewal of town centres must balance growth needs with sensitive and high-quality design. <u>This is reflected in the SPD planning frameworks for Edgware and North Finchley town centres.</u></p>

	town centres must balance growth needs with sensitive and high-quality design.	
Para 4.21.6	Within town centres new infill development is unlikely to afford significant amenity space within the curtilage of the site, and it is therefore vital that areas of publicly accessible open space are maintained or developed within or in close proximity to town centres, and that development proposals demonstrate existing or improved access to such spaces.	Within <u>district</u> town centres new infill development is unlikely to afford significant amenity space within the curtilage of the site, and it is therefore vital that areas of publicly accessible open space are maintained or developed within or in close proximity to town centres, and that development proposals demonstrate existing or improved access to such spaces.
Para 4.21.7	Barnet's district town centres will pursue an approach that aligns with the Mayor's Healthy Streets Approach, promoting active modes of travel and good public transport provision.	Barnet's <u>district</u> town centres will pursue an approach that aligns with the Mayor's Healthy Streets Approach, promoting active modes of travel and good public transport provision.
Para 4.21.7A	NEW	<u>North Finchley is the largest district centre in Barnet. It suffers from a traffic dominated environment with often poor quality public realm, acting as deterrents to increased footfall and dwell time. Through the North Finchley Town Centre Framework Supplementary Planning Document (SPD) (adopted in 2018) the Council has set out an approach for revitalising the district town centre, providing a greater focus on an appropriate mix of uses, including health, leisure and cultural uses, where retailing remains important but housing, as a consequence of residential led intensification, makes a greater contribution to the town centre's diversification and overall 'offer'. Investment in residential led mixed use development will help to fund public realm and infrastructure improvements making North Finchley a more attractive centre to live, visit and enjoy. Following on from the adoption of the North Finchley Town Centre SPD the Council will pursue the individual planning objectives for each district centre through utilising more detailed area frameworks such as Supplementary Planning Documents.</u>
Policy GSS08 MM96 is withdrawn	Main Town Centres (Burnt Oak, Chipping Barnet, Finchley Central, Golders Green and North Finchley) will form the Council's priorities for	<u>In addition to the Major Centre of Edgware, there are 14 District Centres identified within Barnet in the London Plan – of these Main Town Centres (Burnt Oak, Chipping Barnet, Finchley Central, Golders Green and North Finchley) will form the Council's priorities for investment and revitalisation, supporting local businesses and delivering mixed use development in accordance</u>

	investment and revitalisation, supporting local businesses and delivering mixed use development in accordance with the place making policies of the Local Plan and in alignment with the Mayor's Healthy Streets Approach.	with the place making policies of the Local Plan and in alignment with the Mayor's Healthy Streets Approach.
Policy GSS08	The changes to the Use Classes Order (2020) remove restrictions on changes of use and allow greater flexibility for opportunities to change between town centre uses, supporting town centre vitality and viability.	The changes to the Use Classes Order (2020) remove restrictions on changes of use and allow greater flexibility for opportunities to change between town centre uses, supporting town centre vitality and viability.
Policy GSS08	The Council will support mixed use development within Barnet's town centres ensuring that their individual town centre offer responds to the needs of residents and workers as well as businesses and maintains their distinctiveness as places and vibrant hubs.	The Council will support mixed use development within Barnet's <u>district</u> town centres ensuring that their individual town centre offer responds to the needs of residents and workers as well as businesses and maintains their distinctiveness as places and vibrant hubs. <u>Investment in residential led mixed use development will help to fund public realm and infrastructure improvements making district town centres such as North Finchley more attractive places to live, visit and enjoy.</u>
Policy GSS08 NB – Number of new homes subject to change under Matter 11	Barnet's Town Centres (excluding Cricklewood and Edgware) have potential to deliver a minimum of 5,400 new homes.	Barnet's <u>District</u> Town Centres (excluding Cricklewood and Edgware) have potential to deliver a minimum of 5,400 new homes

Policy GSS08	The Council will ensure that proposals for town centre development:	The Council will ensure that, <u>with due regard to Policy CDH03</u> , proposals for <u>district town centre</u> development:
Policy GSS08 (d) MM97	do not have a negative impact on areas outside of the town centre	do not have a negative impact <u>on the amenity of</u> areas outside of the town centre
Policy GSS08 (d) MM98	supports sustainable travel and seeks to minimise parking provision , including at zero provision where appropriate, and to not exceed established standards;	supports sustainable travel and seeks to minimise parking provision , including at zero provision where appropriate, and to not exceed established standards (<u>as per TRC03</u>);
Policy GSS08	NEW	<u>The North Finchley Town Centre Framework Supplementary Planning Document (SPD) has set out an approach for the revitalisation and future intensification of the town centre, providing a greater focus on an appropriate mix of uses, where retailing remains important but housing, as a consequence of residential led intensification, makes a greater contribution to the town centre's diversification and overall 'offer'. The Council will support planning proposals that optimise residential density on suitable sites while delivering improvements to the amenity of the area and overall offer of the town centre.</u>
Policy GSS08	The Council will pursue the individual planning objectives for each town centre through utilising more detailed area frameworks such as Supplementary Planning Documents.	The Council will <u>continue to</u> pursue the individual planning objectives for each <u>district town</u> centre through utilising more detailed area frameworks such as Supplementary Planning Documents.