



Note

LB BARNET LOCAL PLAN EXAMINATION WRITTEN STATEMENT – MATTER 2

This written statement has been prepared by Quod on behalf of Regal JP North Finchley Limited (“Regal JP”) in respect of London Borough of Barnet’s Local Plan Examination. Ahead of the Hearing Sessions, the Inspector has published a ‘Matters, Issues and Questions’ document, and this statement is submitted in response to the following questions raised under Matter 2:

Matter 2 – Spatial Strategy and Strategic Policies

Issue: Whether the spatial strategy and strategic policies of the Plan are positively prepared, justified, effective and consistent with national policy, and in general conformity with the London Plan, in relation to the scale and distribution of the development proposed?

Questions:

- *Q2 - Does the Plan as submitted appropriately identify “strategic policies” or are the Council’s proposed modifications necessary for soundness?*
- *Q6 - Is the approach of strategic policies relating to the spatial distribution of development, positively prepared, justified, effective, consistent with national policy and in general conformity with the London Plan? In those respects:*
 - *6a - What is the basis for the calculation and identified distribution of housing and employment growth as set out in Policy GSS01 in terms of Growth Areas (Policies GSS02 to GSS07), District Town Centres (Policy GSS08), areas of Existing and Major New Public Transport Infrastructure (Policy GSS09), areas of Estate Renewal and Infill (Policy GSS10), Major thoroughfares (Policy GSS11) and Redevelopment of Car Parks (Policy GSS12)?*
 - *6c – To what extent is the development sought in the strategic policies consistent with the allocations in Annex 1?*
 - *6d - If the allocations do not fully meet the identified distribution of housing or employment growth in the areas referred to in Policies GSS01 to GSS12, does the Plan provide sufficient certainty as to how they would otherwise be delivered?*
 - *6h - Are any other changes to the Growth Areas, Opportunity Areas, or other locations identified in the strategic policies required to achieve soundness?*
- *Q12- In terms of the approach of the Plan to defining District Town Centres (Policy GSS08):*
 - *12c - Would any further changes be necessary to ensure that it is justified, effective, consistent with national policy and in general conformity with the London Plan?*
- *Q15 - To what extent does the methodology applied to site selection and the spatial strategy focus for growth provide the necessary justification for each site chosen (having regard to other sites and the IIA)? Was the methodology used to assess and select the proposed sites in the Plan appropriate?*



Note continued

1 Executive Summary

1.1 The National Planning Policy Framework (2021) (“NPPF”) sets out requirements for the preparation of local plans at paragraph 35, including that they must be *“justified, effective and consistent with national policy”*. Regal JP consider that the draft policies of the Local Plan have failed to satisfactorily address these requirements in respect of North Finchley Town Centre (“NFTC”). As a result, the plan is considered unsound by virtue of the following:

- **Justified - The Plan is not justified as it fails to take into account the findings of its own evidence base, in particular in respect of the assessment of site capacity in NFTC. The Viability Study which underpins the Plan is also not considered to be robust evidence.**
- **Effective - The Plan is not effective as its policies (i.e. Draft Policy GSS08) fail to optimise the use of land within NFTC and are unclear in the way that they deal with overlapping sources of housing supply (i.e. Draft Policy GSS11).**
- **Consistent with national policy - The Plan provides an under allocation of sites suitable for development in NFTC and fails to set out a clear strategy for accommodating objectively assessed need in a way that makes as much use as possible of previously developed or brownfield land. As such, it is not consistent with the NPPF.**

2 Evidence Base

2.1 Regal JP wish to highlight concerns that the draft Plan has not been positively prepared in response to key documents which form the evidence base, in particular:

- **LB Barnet’s Growth Strategy (2019-2030);**
- **North Finchley Town Centre Framework SPD (2018);**
- **London Plan (2021)**

2.2 There is also concern regarding the robustness of the **Viability Study (2021)** which underpins the preparation of the Plan.

LB Barnet’s Growth Strategy

2.3 LB Barnet’s Growth Strategy (2019-2030) is a fundamental document that underpins the Local Plan. It sets out where the Council will focus its interventions to support delivery of development and regeneration and includes key themes that are reflected in the vision and objectives of the Local Plan.

2.4 The Growth Strategy identifies the need to increase the supply of housing and proposes a focus on town centres and major road corridors, with specific reference made to NFTC (page 12). Specifically in relation to NFTC, the document explains the substantial regeneration opportunities that exist in the town centres along the A1000/A598 corridor, which offer the potential *“to deliver substantial new housing opportunities”*. NFTC is identified as being the ‘economic core’ of this corridor, and the *“greatest area of opportunity”* (page 44).

2.5 NFTC is also individually and specifically identified as a centre that could grow to become a Major Town Centre (there is only one other town centre in this tier in the Borough - Edgware),



Note continued

which highlights the scale of change envisaged. It is highlighted at page 45 that this can only be achieved if a number of challenges are met, including the need for comprehensive investment and renewal. Reference is made to an ambitious programme of revitalisation requiring a partnership approach including working closely with developers due to the fragmented ownership within the centre.

2.6 Page 47 also sets out priorities for delivering growth in the east of the Borough, which includes specific reference to progressing work in NFTC to deliver mixed use development, curate the high street, address challenges, and improve the night-time and cultural offer. It is noted that NFTC could become a blueprint for other town centres to improve, drive growth and ensure future sustainability.

2.7 **This ambitious visioning is not reflected in the wider spatial policy wording of the Local Plan to support growth in NFTC over the plan period.**

North Finchley Town Centre Framework SPD

2.8 An SPD for NFTC was produced by LB Barnet in 2018. The SPD sets a clear vision for the regeneration of the town centre including that *“the supply of housing will be significantly boosted”* (page 17). A series of ‘Key Opportunity Sites’ are identified along with ‘Other Opportunity Areas’ and ‘Parade Enhancement Areas’ which cover the majority of the town centre.

2.9 The SPD also identifies the need for the anticipated growth of the town to be supported by enhanced infrastructure (including public realm, highway and public transport improvements). In order to achieve the significant growth potential which will secure North Finchley’s regeneration, it is recognised that a coordinated and comprehensive approach is necessary across the town centre (para 8.1).

2.10 Unlike the other district centres which are allocated as Growth Areas, North Finchley benefits from having an SPD to underpin the vision for the District Centre and support for enhanced infrastructure and housing delivery over the plan period. **It is therefore unclear why North Finchley is not subject to its own specific policy designation to support the growth and regeneration identified in the SPD.**

London Plan

2.11 Annex 1 of the London Plan (2021) identifies North Finchley as a District Centre with high potential for ‘high’ residential growth. The other Barnet District Centres identified for ‘high’ growth are Mill Hill, Cricklewood, Colindale – all of which are defined as ‘Growth Areas’ in the emerging Barnet Local Plan.

2.12 **Given this clear policy direction in the London Plan, North Finchley should also be identified as a Growth Area** (as highlighted in representations made by Regal JP to the Regulation 19 consultation in August 2021).

Viability Study

2.13 Area-wide viability assessments by their nature have to cover a considerable number of development typologies and variances in order to inform policy that will then be applied on a site by site basis as planning applications emerge. Area-wide viability assessments also need to take into account changes in economic circumstances, as best they can, in order that policy



Note continued

does not end up either too prescriptive or too general so not to prevent good development or render policy meaningless, respectively. The NPPF, PPG and professional guidance set out guidelines for undertaking area-wide viability assessments.

- 2.14 The evidence base would appear to deviate, at times, in terms of it's out of date referencing and inconsistent approach with PPG and professional guidance.** This does not make the evidence base wholly inadequate, but does undermine it's robustness in terms of scope and applicability to sites coming forward for the purposes of fully supporting policy. In particular **we consider there to be insufficient sites considered for such a dense urban area** and that this lack of comprehensiveness both in the number of sites viability tested and variances in typologies and assumptions adopted has resulted in a policy being too prescriptive and therefore lacking in key areas in terms of flexibility. **Given the significant additional new homes proposed and infrastructure identified, the underlying viability evidence base analysis should be stress testing assumptions, through a fine grain site by site approach to the "Major Thoroughfares"**. This would be both proportionate and appropriate in setting policy for encouraging regeneration and growth within North Finchley.

Summary

- 2.15** Overall, it is clear that the evidence base anticipates significant coordinated growth across NFTC to deliver the substantial boost in housing and overall regeneration required. The Growth Strategy suggests that this growth would enable NFTC to evolve into a Major Centre and the London Plan seeks to achieve high residential growth. The proposed strategy to achieve this is not about facilitating individual sites or infill development as is the approach for other town centres, but of comprehensive regeneration.
- 2.16** However, unlike other centres which benefit from 'high' residential growth designations, **policies of the emerging Local Plan relating to NFTC (specifically GSS08) have not been positively prepared in response to the evidence and fail to effectively plan for the level of growth and change intended at NFTC.**
- 2.17** In addition, the Viability Study does not present a robust assessment of the viability, and thus deliverability, of the Local Plan and requires further testing.

3 LBB and Regal Joint Working

- 3.1** As acknowledged in the Growth Strategy and SPD, joint working is required with developers and other stakeholders to deliver the full regeneration aspirations for the town. **Regal JP has been working extensively with the Council since entering into an updated Site Assembly and Land Agreement in October 2021 to develop the overall spatial vision and wider growth strategy for the town centre.** Further details are available [here](#).
- 3.2** Regal JP have subsequently undertaken a series of site capacity testing exercises, which reflects the work undertaken in partnership with the Council, to bring forward at least circa 2,350 homes within the early phase of the town centre's regeneration. To ensure North Finchley becomes a thriving destination that people want to live, work and spend time in, the longer-term aspiration is to deliver a successful high street with a greater focus on a genuine mix of uses, where retailing remains important but leisure, cultural, business and residential uses all add to the town centre's diversification and overall offer. For this to be achieved, Regal



Note continued

JP will seek to deliver a broad range of residential tenures to meet the local needs within this part of the Borough, including a mix of elderly and affordable homes, together with purpose-built student accommodation, private units for sale and rent. With more residents living close to the town centre, using the local services/amenities, supporting the local economy and generating employment, will only boost the vitality and vibrancy of the high street.

- 3.3 Allowing increased housing growth within North Finchley will further assist the Council in meeting a broader range of affordable housing needs for local residents and deliver increased financial investment (primarily through CIL and S.106 contributions) to support a series of infrastructure enhancements that will transform NFTC in line with the SPD and Barnet's aspirational Growth Strategy.
- 3.4 Since February 2022, Regal JP have undertaken an extensive series of public consultation events with local residents, stakeholders and local businesses to better understand the views and aspirations of the local community. To date, a summary of the main rounds of engagement have included:
- November 2021 - Launch of a North Finchley Commonplace engagement website.
 - December 2021 – Creation of the North Finchley Town Centre Interactive Map to understand the local community's priorities and site-specific issues.
 - February 2022 – Series of town centre walkabouts and workshops to share aspirations/ideas for improving the local area.
 - June 2022 – Publication of a 'Place Discovery' report reported back to the community capturing early findings of all initial comments raised.
 - July 2022 – Second round of summer exhibitions and workshops to discuss the feedback received earlier in the year and to develop those key opportunities for the Town Centre.
- 3.5 Following the public exhibitions, Regal JP uploaded their consultation material including the exhibition boards and main consultation feedback from the events onto their interactive Commonplace website (<https://northfinchley.commonplace.is/news>).
- 3.6 **Despite the content of the Council's own evidence base and the Site Assembly and Land Agreement, the strategic policies of the Local Plan fail to grapple with the scale and intent for change across NFTC.**
- 3.7 The NPPF requires local plans to:
- provide a positive vision for the future of each area (para 15);
 - be aspirational but deliverable (para 16b);
 - be shaped by early, proportionate and effective engagement (para 16c);
 - contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals (para 16d);
 - include strategic policies to address particular priorities and set an overall strategy for the pattern, scale and design quality of places (para 17 and 20); and
 - be underpinned by relevant and up to date evidence (para 31).



Note continued

3.8 The Local Plan has failed to conform with these key aspects of national policy, despite the clear evidence base and productive joint working and engagement.

4 Draft Policy GSS08

4.1 Development within NFTC is proposed to be controlled under Policy GSS08 which does not reflect the intent or aspirations for regeneration across the town centre as set out in the evidence base and SPD, and fails to recognise the need for a coordinated approach to address the challenges highlighted. Instead, the policy looks to control individual mixed-use developments in a generic manner which is applicable to all of Barnet's town centres. As noted in para 4.21.3 of the Local Plan this is an *"infilling and intensification"* approach to maintaining and enhancing town centres, which fails to address the complexities of facilitating comprehensive and coordinated revitalisation of NFTC.

4.2 Table 5 in the supporting text suggests that NFTC will accommodate 1,100 homes which appear to derive from the indicative development capacities identified for the six site allocations within North Finchley identified in Annex 1 (which total 1,045 homes). **The evidence base behind the indicative development capacities is not considered fit for purpose, being based on the old London Plan density matrix, rather than the up-to-date London Plan approach of optimising site capacity through a design led approach.**

4.3 As set out above, based on capacity testing undertaken in collaboration with the Council and the scale of buildings supported under Policy CDH04, the indicative development capacities for the sites should be considerably higher. **The identified target number of homes does not therefore represent the optimisation of land nor making as much use as possible of previously developed / brownfield land as required by the NPPF.**

4.4 Furthermore, the identification of only 6 site allocations within NFTC compared to the various Key Opportunity Sites, Other Opportunity Sites and Parade Enhancement Areas highlighted in the Council's own SPD **fails to recognise the nuanced and coordinated approach required to facilitate the revitalisation intended.**

5 Draft Policy GSS11

5.1 Draft Policy GSS11 identifies that redevelopment along Barnet's main road corridors can provide a significant supply of sites for growth. It is recognised that these corridors do offer opportunities to support growth, benefiting from the public transport facilities that run along them. However, the characteristics of these corridors is variable, in some cases offering more limited access to services and facilities, especially outside of town centres.

5.2 The promotion of increased density and tall buildings should be focussed to where these corridors pass through town centres, and outside of town centres the scale and density of development needs to be carefully considered on a case-by-case basis.

5.3 Table 5 suggests Major Thoroughfares can accommodate 3,350 homes, which is two thirds of the growth envisaged within District Centres. Given the accessibility that town centre sites afford to other services and facilities (e.g. employment, retail, leisure, community, public transport interchanges etc), which are not typically available along Major Thoroughfares, **the**



Note continued

balance of distribution between these locations is not consistent with national policy or the Council's evidence base.

- 5.4 As currently drafted the wording of draft Policy GSS11 is ambiguous and confused in its approach to overlapping sources of housing supply. Given the A1000 forms part of Barnet's designated "Major Thoroughfare" Route, **it should be made clear how many of the 3,350 additional homes are being allocated/delivered specifically within North Finchley.** This figure should promote the level of strategic infrastructure already in place in the centre to accommodate stronger growth.
- 5.5 Furthermore, the evidence base behind the identification of 3,350 homes is not clear given that the Annex 1 sites total 2,700 homes. As noted above, the Viability Study requires further testing of the Major Thoroughfares in order to make the Local Plan viable and deliverable.

6 Summary

- 6.1 **The strategic policies as drafted, in particular GSS08, fail to fully capture the scale and intent for growth planned across NFTC.** The evidence base is clear that North Finchley is to accommodate a significant scale of residential development and that a coordinated approach is required across the whole town centre if the identified challenges are to be overcome and full revitalisation secured.
- 6.2 Proposed Growth Areas have been assigned with their own dedicated planning policy to ensure the specific aspirations for growth are realised. Paragraph 3.4.3 of the Local Plan defines Growth Areas as *"distinctive locations with good public transport accessibility...a supply of brownfield and underused land and buildings that offer the opportunity for inward investment"*. This is equally applicable to the proposed regeneration of NFTC, and it is noteworthy that the scale of development proposed at NFTC is greater than some of the defined Growth Areas (e.g. Cricklewood (1,400 homes) and Mill Hill East (1,500 homes)).
- 6.3 It should also be noted that unlike the other identified Growth Areas higher up the spatial hierarchy, North Finchley benefits from having an SPD/strong evidence base to underpin the vision for the District Centre and support for enhanced infrastructure and housing delivery over the plan period.
- 6.4 **To ensure a sound Local Plan, a dedicated NFTC policy should be included which reflects the evidence base and provides clarity to developers and the local community on the proposed level of change required across the town in order to overcome the identified challenges and deliver comprehensive revitalisation.**
- 6.5 To aid discussion at the hearings Regal JP have proposed wording for such a NFTC policy which is provided at Document 1.
- 6.6 In addition, it is considered that in respect of **Policy GSS11, the policy wording, Annex 1 and Table 5 should provide clarity on any overlap between housing delivery in Major Thoroughfares where they pass through town centres or Growth Areas.**

Document 1

Draft Policy	Regal JP Comment	Proposed Change
GSS08	<p>The evidence base is clear that North Finchley is to accommodate a significant scale of residential development and that a coordinated approach is required across the whole town centre if the identified challenges are to be overcome and full revitalisation secured. Draft Policy GSS08 fails to fully capture the scale and intent for growth planned across NFTC.</p>	<p>Insert new policy for North Finchley as follows:</p> <p><i>NORTH FINCHLEY GROWTH AREA</i></p> <p><i>North Finchley Town Centre is a location which the Council has prioritised for a significantly boosted supply of housing to support the creation of sustainable, inclusive and mixed communities that are supported by improved community provision including health, leisure and cultural uses. The environment will be improved with the local character enhanced, new public spaces created that encourage people to stay for longer and pedestrians given greater priority whilst maintaining ease of access for all users.</i></p> <p><i>The North Finchley Growth Area provides an opportunity for revitalisation and intensification, supported by high existing PTALs and planned future transport infrastructure improvements, along with the availability of substantial under-used sites. The Council and Regal JP have entered into a Joint Venture Agreement to collectively pursue the regeneration of the town.</i></p> <p><i>The Council will support planning proposals that optimise residential density (including a mix of elderly and affordable homes, together with purpose-built student accommodation, and private units for sale and rent) on suitable sites while delivering improvements to the amenity of the area and overall offer of the town centre.</i></p>



Note continued

		<p><i>To deliver growth and regeneration at North Finchley, the Council will seek the following from development across the Growth Area:</i></p> <ul style="list-style-type: none"><i>• a minimum of 2,250 new homes;</i><i>• Improved public realm, including new public spaces;</i><i>• Appropriate floorspace for community, retail and commercial uses.</i> <p><i>The Council has prepared a more detailed planning framework Supplementary Planning Document for this area.</i></p>
GSS11	Draft Policy GSS11 is ambiguous and confused in its approach to overlapping sources of housing supply. Given the accessibility that town centre sites afford to other services and facilities, which are not typically available along Major Thoroughfares, the balance of distribution between these locations is not consistent with national policy or the Council's evidence base.	Policy GSS11, Annex 1 and Table 5 should be revised to provide clarity on any overlap between housing delivery in Major Thoroughfares where they pass through town centres or Growth Areas. Given the A1000 forms part of Barnet's designated "Major Thoroughfare" Route, it should be made clear how many of the 3,350 additional homes are being allocated/delivered specifically within North Finchley.