

Annex A Grahame Park Update

Draft Report – Justification for use of SPD to guide future development of the Grahame Park Estate

27/06/2014

Background

Genesis Housing Association is in partnership with LB Barnet (the Council) for the delivery of the Grahame Park Estate regeneration scheme. Stage A of this development, comprising Phases 1A and 1B is either complete or in progress. Stage B (the remainder of the masterplan) is however considered to be unviable and undeliverable, with the existing masterplan and outline planning permission being no longer fit for purpose. This will therefore be reviewed and a revised masterplan prepared.

Options

In late 2013, planning consultants Nathaniel Lichfield and Partners (NLP) were commissioned to prepare a report exploring the possible options to take forward the future planning and development of the Estate. The 3 options discussed by NLP are set out below:

New masterplan and outline planning application for the whole site

This is the route adopted previously, a tried and tested one well known to Genesis and the Council. The disadvantages of this approach is that any revised outline permission will again become out of date after a relatively short period of time into what is expected to be a 15-20 year programme. Whilst a greater amount of flexibility could be built into the masterplan, it must still form a basis for Environmental Impact Assessment (EIA) of the proposals.

Policy based approach

This would involve the preparation of some kind of policy document, which once adopted would be followed by full planning applications for individual phases, rather than an outline planning application for the whole estate. This could take a number of forms, including a Supplementary Planning Document (SPD) or Planning Brief, although the only SPDs in Barnet are topic specific rather than site specific. However, the Council is experienced in the preparation of such documents and provided this could be done quickly (say, 12 months) it need not necessarily take longer than the outline application approach. Any such document would have to be prepared by the Council and compliant with other parts of the statutory development plan, including the Colindale AAP. The document cannot be used to introduce new, or revise existing policies. The document would also be subject to the Strategic Environmental Assessment Directive, as well as subsequent applications being subject to EIA.

Hybrid approach

This would involve Genesis preparing a masterplan or framework within some form of document prepared by Genesis, in consultation with the community, and then presented to the Council for endorsement. Once endorsed, applications could then come forward in phases against the background of the strong policy guidance that already exists. However,

this would not provide the same level of certainty or carry the same weight as a Council-adopted SPD. NLP recommend that this is pursued in the context of a bespoke Planning Performance Agreement (PPA).

Local Development Order

In addition, the possibility of a Local Development Order (LDO) has been considered by the Council. LDOs were introduced to the UK planning system in 2004. An LDO grants permission for certain types of development, in a specific area, subject to conditions and limitations, without the need for planning permission.

Considerations

The NLP report does not conclude which is the appropriate way forward, rather it presents the options as choices and gives the benefits and drawbacks of each. From the Council's point of view, a balance must be struck between the desire to retain control over future development and the need to make the development deliverable. Public relations and consultation is also an important consideration.

It is with these considerations in mind that the hybrid approach suggested by NLP can be ruled out. This does not provide the Council with adequate control over the content of the masterplan and would not result in a document that would carry any meaningful weight in the decision making process.

The LDO option, whilst not suggested by NLP, has been carefully considered by the Council. However, these tools are intended primarily to support economic growth in areas such as Enterprise Zones and employment areas. Essentially, they are not intended for such a large and potentially contentious project. The Council would want to retain a high level of control and this would result in a drawn out preparation process with technical studies and a complicated LDO document. This approach would also reduce income from planning fees, as the amount required for a pre-notification application would only be token in nature. There would also be complications in terms of obtaining planning obligations.

The outline planning application is traditionally the normal route taken by developers for such long term, phased schemes. The disadvantages of this approach are well known, as once the original masterplan has become outdated it must be amended through a new planning application. This has had to be done on a number of occasions already for Grahame Park and, 7 years on from the original consent, it is not possible to amend Stage B to make it deliverable. The Council acknowledges that greater flexibility is required in order to give Genesis the certainty to progress and deliver a successful scheme.

The policy based approach suggested by NLP would involve the preparation of a site specific SPD, which would set parameters for the consideration of future planning applications for individual scheme phases. The parameters would control matters such as scale, layout, density, uses and car parking levels. Design guidance would also be incorporated into the document. This document would be prepared by the Council and adopted through statutory processes, becoming a material consideration in the determination of relevant applications, along with the rest of the statutory development plan. It would therefore ensure that the Council would have adequate control over future phases of development, whilst ensuring that there would be enough flexibility in its application to

ensure that it will not need to be amended. Public consultation would take the form of a 6 week statutory consultation, along with any other consultation deemed necessary. This is considered to be preferable to yet another planning application notification process, which residents have gone through on a number of occasions.

Conclusion

Whilst a new outline masterplan would be the traditional route for the re-masterplanning of the remainder of the estate, the inflexibility of such an approach (as evidenced by the existing situation at Grahame Park) gives rise to concerns both from Genesis and the Council about the long term deliverability of the project. The hybrid approach, as suggested by NLP, and the LDO approach, as considered by the Council, are not appropriate for the reasons set out above. The preparation of a development specific SPD would ensure adequate control over future development by the Council, whilst ensuring flexibility for the developer going forward. This is the preferred choice of both Genesis and the Council and would be taken forward in a timely manner, having regard to all statutory planning processes and EU Directives, to produce a robust document that can be relied upon for decision making on future phases of the Grahame Park Estate.

There are a number of examples of site specific development SPDs, including Earls Court (joint SPD between Royal Borough of Kensington and Chelsea and Hammersmith and Fulham) and the Aylesbury Estate in Southwark. There is therefore clear precedent for this approach being used, particularly for large regeneration schemes. It is therefore recommended that this is the correct approach.