



Policy and Resources Committee

June 16 2021

Title

Barnet's Local Plan – Publication - Regulation 19 Town and Country Planning (Local Planning) (England) Regulations (Reg 19)

Report of

Chairman of the Policy and Resources Committee

Wards

All

Status

Public

Urgent

No

Key

Yes

Enclosures

- Appendix A - Barnet's Local Plan – Publication (Reg 19)
- Appendix B - Barnet's Local Plan – Schedule of Representations and Responses to Preferred Approach Regulation 18 Town and Country Planning (Local Planning) (England) Regulations (Reg 18)
- Appendix C – Barnet's Local Plan – Publication (Reg 19) – Equalities Impact Assessment

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Summary

Setting out a planning policy framework which the Council will use to make decisions about how Barnet will change as a place over the next 15 years, the Local Plan is one of the most important statutory documents that must be produced for the Borough.

The shadow cast by the **COVID19** pandemic and the rapid changes to how people live, learn, work and travel have wide-ranging and long-reaching consequences especially for younger people, minority communities and the most vulnerable. As the spatial framework for managing change the Local Plan is able to form the basis for responding to these challenges, supporting Good Growth and being sufficiently flexible to adapt to any more rapid changes in the future.

The (Reg 19) Publication Local Plan is the document that will be submitted to the Planning Inspectorate for Examination in Public. It is the version that the Council seeks to adopt, subject to that examination, as the framework for decision making on planning. The Publication Local Plan takes account of responses from the previous consultation on the Local Plan (Reg 18) - Preferred Approach in early 2020. At the Publication stage representations are required to focus on the 'soundness of the plan' as set out in the National Planning Policy Framework. To be found sound the Local Plan has to be positively prepared, justified, effective and consistent with national policy. Representations on the soundness of the (Reg 19) Publication Local Plan will be submitted to the Planning Inspectorate for the Examination in Public along with the Local Plan and supporting evidence. It is likely that responses to this regulatory stage will result in further proposed changes to the Plan as part of the Examination in Public. The Examination in Public is expected to take place in Spring 2022 and subject to that examination adoption of the new Local Plan is not expected until late 2022.

Officers Recommendations

That the Policy and Resources Committee:

- 1. Consider the responses to consultation at Local Plan – Preferred Approach - Regulation 18 (as set out in Appendix B);**
- 2. Approve the Draft Local Plan – Publication - Regulation 19 (as set out in Appendix A) for public consultation;**
- 3. Delegate authority to the Deputy Chief Executive to make any further minor changes to the Local Plan in consultation with the Chairman of the Policy and Resources Committee prior to public consultation.**

1. WHY THIS REPORT IS NEEDED

- 1.1** The Policy and Resources Committee on January 6th 2020 approved the Local Plan Preferred Approach (Reg 18) for public consultation. On May 24th the Policy and

Resources Committee approved the Community Infrastructure Levy (CIL) Draft Charging Schedule for submission to the Planning Inspectorate for examination. Submission in advance of the Local Plan enables the new CIL rate to come into effect sooner and help deliver the Local Plan by increasing the funding for critical infrastructure CIL to support growth.

- 1.2 The Local Plan has now progressed to the next regulatory stage. The Local Plan shapes the future of Barnet as a place, looking ahead to 2036, providing the overarching local policy framework for delivering sustainable development. It is a strategic document that acts as the spatial expression of corporate strategies. The Publication Local Plan (Reg 19) consists of 52 policies and 66 site proposals. It will eventually replace the Core Strategy and Development Management Policies documents adopted in 2012. Adoption of the new Local Plan is not expected until late 2022. This is the version which, together with representations on the soundness of the Local Plan, will be submitted for examination.
- 1.3 Increasing weight is attached to Local Plan policies considered sound. Following submission of the Plan for examination it will be a more significant material consideration in planning decisions.

Response to Local Plan Preferred Approach

- 1.4 The Local Plan Preferred Approach was subject to extensive public consultation in early 2020, prior to the COVID19 national lockdown. This provided the opportunity for interested parties and statutory consultees to be involved at an early stage. Engagement activities included 30 face to face events reaching an estimated audience of 800 persons. As well as six public events on the Reg 18 a range of groups were reached through presentations to the Health and Wellbeing Board, Safer Communities Partnership and Children and Young People Board as well as Barnet School Governors, Barnet Youth Board, Barnet Age UK, MENCAP Barnet, Barnet Multi-Faith Forum, Federation of Small Businesses, Job Centre Plus, CommUNITY Barnet, Professional and Young Peoples Forum. As part of the engagement on the more focused Reg 19 the Council will prioritise events with 'protected characteristics' groups.
- 1.5 Consultation generated in excess of 2,000 representations from 450 individual representors including 300 anonymous responses submitted through online questionnaires. Further details of Reg 18 engagement and the responses it generated are set out in the Reg 18 Consultation Statement.
- 1.6 Feedback from statutory agencies including the Environment Agency, Natural England & Historic England have set out issues of soundness while the Mayor of London has set out issues of non-conformity with the London Plan. The Council has sought to resolve these issues through changes to the Local Plan.
- 1.7 All responses have informed the production of the Publication Local Plan. Appendix B sets out how the Council has responded to the issues raised in the consultation. The main policy challenges raised are housing numbers, infrastructure provision and the future of town centres. More detailed issues of concern were focused on the size of new homes, managing the conversion and redevelopment of existing houses, the impact of tall buildings and the need for making provision for car parking. The Council has sought to provide greater reassurance on these issues through changes to Local Plan policies and supporting text.

- 1.8 With regard to the 66 site proposals the main concerns expressed were about indicative housing numbers, building heights, preferred land uses, flood risk, biodiversity and protection of Metropolitan Open Land / Green Belt. Although many of these issues cannot be resolved without more detailed work at application stage the Council has sought to provide greater reassurance through changes to the Local Plan Schedule of Proposals.

Publication Local Plan

- 1.9 Engagement with Members on the Local Plan has been ongoing since Autumn 2017. The cross-party Local Plan Members Advisory Group serves as a sounding board for feeding general and specific, locally-based opinions and views from residents' forums, into the preparation of the Local Plan. The Group has met twelve times to discuss evidence, policies and site proposals. In April 2021 the Group signed off the Reg 19 version as the basis for consultation and the future framework for decision making on planning. A few revisions have been made to the Reg 19 since Members Advisory Group largely as a consequence of the Planning Inspectorate Advisory Visit. The most significant change is the reduction of the housing target.
- 1.10 The period since consultation on the Preferred Approach Local Plan in early 2020 has witnessed significant change in terms of the shadow cast by the COVID19 pandemic and the rapid changes to how people live, learn, work and travel. Many of these changes have wide-ranging and long-reaching consequences especially for younger people, minority communities and the most vulnerable. As the spatial framework for managing change the Local Plan is able to form the basis for responding to these challenges, supporting Good Growth whilst being sufficiently flexible to adapt to any more rapid changes in the future.
- 1.11 Although the Local Plan looks ahead to 2036, it will be reviewed, as recommended by the National Planning Policy Framework (NPPF) within five years in order to reflect changing circumstances locally or changes to national policy. Evidence of the long term impact of COVID19 on Barnet and London, in particular on demographic projections, will feed into the review of the Local Plan as well as the London Plan.
- 1.12 The Government will introduce a Planning Bill later in 2021 which proposes to fundamentally reform the planning system in England. This will inflect intentions set out in the Planning White Paper published in 2020 to streamline the planning process with more democracy taking place more effectively at the plan-making stage, taking a radical, digital-first approach to modernise the planning process. This means moving from a process based on documents to a process driven by data. Role of land use plans should be simplified with Local Plans zoning three types of land – Growth areas suitable for substantial development, Renewal areas suitable for development, and areas that are Protected. Proposals for Local Plan reform will take considerable time, changes to developer contributions and development management require primary legislation followed by secondary legislation. In order to respond to these challenges it remains important that Barnet progresses its Local Plan through the existing system with adoption in 2022.
- 1.13 The Government published a Ministerial Statement on May 24th 2021 which set out its plans for the delivery of First Homes as an element of affordable housing, defining the product and changes to planning policy. The Council's approach to First Homes including level of discount will be firmed up and clarified as part of the Examination in Public of the

Local Plan. This will be set out in a Modification which will be consulted on as part of the Examination process.

- 1.14 The Local Plan is supported by an extensive evidence base. This is available on the Local Plan webpages. Additional evidence on the viability of the Local Plan, a new Infrastructure Delivery Plan, Stage 2 Strategic Flood Risk Assessment, Strategic Transport Assessment and updated Barnet Car Parking Study and Gypsies, Travellers, and Travelling Showpeople Accommodation Assessment have been published or will be published to support the Reg 19. The Viability Assessment tested the ability of development to accommodate emerging policies in the draft Local Plan, alongside other plan policies in the London Plan and rates of Community Infrastructure Levy ('CIL') in the Council's Draft Charging Schedule.
- 1.15 As part of the preparations for the future scrutiny of the Local Plan at Examination in Public the Council has benefited from an online Planning Inspectorate Advisory Visit by an experienced planning inspector. This provides Barnet with advice on the emerging Local Plan and the supporting evidence base. The Inspector queried use of objectively set need of 46,000 new homes as the minimum housing requirement in the Local Plan. She recognised uncertainty about revised capacity based London Plan target of 35,460 new homes (confirmed in March 2021) and the Government's unconstrained Standardised Assessment. Her main advice was that Barnet should rely on the lower housing target of 35,460 as the London Plan is now published. Against this minimum target Barnet can demonstrate more strongly through its supply of 46,000 new homes, as set out in the Growth and Spatial Strategy policies, that this is deliverable.

Publication Local Plan – Suite of Policies

- 1.16 The Growth and Spatial Strategy section of the Reg 19 Local Plan sets out how this housing growth will be distributed across regeneration areas in Brent Cross and Colindale together with growth areas in Barnet's town centres, around transport nodes and along major thoroughfares.
- 1.17 The 52 policies in the new Local Plan will replace the 34 policies set out in the Core Strategy and Development Management Policies that were adopted as Barnet's Local Plan in 2012. Significant changes to the Local Plan in response to the consultation at Reg 18, new evidence and changing circumstances are set out in italics. In summary:
- **Challenges and Opportunities** sets the baseline for the Local Plan covering Barnet's Character, Housing, Economy and Town Centres, Environment, Health and Wellbeing as well as Transport.
 - *New sections have been added on Barnet's response to COVID19 and highlighting the opportunities for Good Growth utilising Barnet's advantages to deliver sustainable growth that works for everyone, contributing to strong and cohesive, family friendly communities, promoting healthy living and wellbeing, as well as delivering the homes that the Borough needs.*
 - Barnet's **Vision and Objectives** sets out the spine of the Local Plan outlining the benefits of well planned growth between 2021 and 2036. Barnet's Spatial Strategy for growth highlights that by focusing on sustainable locations the impacts of development on the climate will be better managed.

- *Revised to emphasise the Borough's natural and historic environment as well as town centre recovery and that Barnet continues to be a family friendly place where the positive benefits of growth and investment are accessible to all residents. Table 2 shows how the key objectives are being delivered by Local Plan policies. Policy BSS01 sets out Barnet's minimum housing requirement of 35,460 new homes by 2036 (reduced from 46,000). It also removes boroughwide targets for new retail space in response to national changes to the Planning Use Classes Order in September 2020. There is more emphasis on the distribution of growth to Opportunity Areas (Brent Cross, Colindale and New Southgate) together with Barnet's Growth Areas and Town Centres.*
- The **Growth and Spatial Strategy** Chapter sets out in a suite of 13 strategic policies where Sustainable Growth will be focused. This policy framework further shapes the regeneration of **Brent Cross** and **Colindale**, as well as identifying new areas of significant growth in main town centres at **Cricklewood** and **Edgware** and around new (as at **Brent Cross West**) and existing public transport nodes. Policies for these Growth Areas set hooks for more detailed area planning frameworks to come forward.
- *Further safeguards on the contributions of small sites and the use of area wide design codes in delivering new homes. Growth requirements updated in response to Use Classes Order. Supporting text revised in terms of the new minimum housing target of 35,460 new homes.*
- The Local Plan's approach to **Brent Cross** is reflective of a large and complex scheme which will need to deal with changes in economic and market conditions in particular retail trends. Therefore, the Council's approach is to create a policy framework for the Brent Cross Growth Area capable of responding to change in the long-term. Progress on Brent Cross will be measured against appropriate milestones in the Local Plan.
- *Supporting text updated to highlight that Council seeks comprehensive development of the Brent Cross Growth Area. Reflects that although Brent Cross North, Town and West (Thameslink) remain in different land ownerships the Council will seek to ensure that development and delivery of these strategic areas is co-ordinated. This entails that the development and delivery of these strategic areas is not delayed or fettered by the other.*
- **Mill Hill East**, in particular Millbrook Park, is an example of good suburban growth which the Council promotes with new Local Plan proposals at Mill Hill East Station and Watchtower House.
- *Greater emphasis that growth must support public transport improvements and demonstrate how sustainable transport options will be provided. More reassurances about no development on Green Belt unless previously developed land.*
- In addition to Cricklewood and Edgware Main **Town Centres** at Burnt Oak, Chipping Barnet, Finchley Central / Church End, Golders Green and North Finchley form the Council's priorities for investment and revitalisation, supporting local businesses and delivering mixed use development in accordance with the place making policies of the Local Plan. To pursue objectives for individual town centres the Council will utilise more detailed area frameworks similar to the Supplementary Planning Document (SPD) at Edgware.

- *Supporting text revised to emphasise locational opportunities for these Growth Areas, highlight Mayor's Healthy Streets approach and the need for more flexible policy approach to support COVID19 recovery. Emphasises vital role in delivering thriving town centres and providing a focus for cohesive communities, while delivering new jobs and homes.*
- Policy on **Major Transport Infrastructure** highlights the opportunity to deliver a density and quantum of residential units which optimise potential of locations around stations including West London Orbital stations (services not expected until 2027, at the earliest). Re-provision of car parking spaces is supported through a more land efficient design approach as set out in the policy on **Car Park Redevelopment**.
- *Sets out requirements on how public transport usage and active modes of travel will reduce demands for station car parks. Importance of car parking supply to thriving town centres is balanced with potential for more land-efficient design.*
- The Local Plan sets out an approach to **Estate Renewal and Infill** that is consistent with the London Plan and the Mayor's Good Practice Guide to Estate Regeneration.
- *In response to Mayor's objections replace existing affordable housing whilst considering specific circumstances of each site; Ensure that an equivalent amount of affordable housing floorspace be provided as a minimum and seek an uplift in such provision.*
- Policy on **Major Thoroughfares** is a response to unmanaged growth along main road corridors such as the A5, A1000, A504 and an opportunity to promote design solutions to mitigate noise and air pollution. The Local Plan identifies the A5 and A1000 as new strategic locations that may be appropriate for tall buildings in certain places. The Council will produce SPD on Building Heights which will set out, within such locations, the parameters for tall and very tall buildings.
- *Emphasise that development must have a positive impact on thoroughfares and design should relate to suburban streets behind it*
- The Chapter on **Housing** sets out how the Local Plan will respond to a changing population, building new homes to widen choice and ensure access to affordable, good quality housing as well as protecting existing stock. The Council's approach to securing **Affordable Housing** and seeking a minimum level of 35 per cent delivery is set within the context of the London Plan. Priorities for ensuring an appropriate **Housing Mix** emphasise that in delivering against priorities for 2 bed and 3 bed homes that the smallest 2 bedroom property provides a minimum of 4 bed spaces in accordance with London Plan residential space standards. In terms of protecting family homes the **Residential Conversions** policy restricts conversions to areas around town centres or areas with good public transport accessibility. In terms of **Specialist Housing** the Local Plan highlights support for helping people with social care and health support needs to live independently as well as providing tenure choice. This policy also sets out a response to the increased pressures of student accommodation and large-scale purpose built shared accommodation as well as Houses in Multiple Occupation. To reduce demands on pressures for new build, policy on ensuring the **Efficient Use of the Housing Stock** resists loss of existing homes and set out how the impact of short term holiday lets is to be managed. New policy on **Meeting Other Housing Needs** sets out approach to widening choice in terms of Build to Rent and Self-Build housing. Policy on **Gypsies, Travellers and Travelling**

Showpeople highlights that there is no identified need for plots and pitches within Barnet and sets out how any proposals will be considered.

- *In terms of Affordable Housing there is reference in Policy HOU01 to clarify the approach on Vacant Building Credit applications and provision for keyworker housing on Government land. A further modification will be made to reflect the Council's approach on First Homes as an element of affordable housing. The policy on Housing Mix has been revised to emphasise number of bedspaces in terms of size priorities and that these priorities are subject to periodic review. The supporting text emphasises the opportunities for downsizing and that well designed 2 bed properties with space for 4 persons can be family homes. Policy on Residential Conversions widened to cover redevelopment of Larger Homes and highlight safeguards in roads largely characterised by houses. More detailed requirements for student accommodation and managing HMOs to prevent harmful concentrations of such a use have been added to the Housing Chapter as has policy on Residential Care Homes (previously set out in Community, Health and Wellbeing).*
- **Character, Design and Heritage** sets parameters for managing change ensuring positive benefits of growth and that Barnet does not lose the qualities that attract people to live, work and visit the Borough. The Council's main design requirements for development are set out in **Promoting High Quality Design and Sustainable and Inclusive Design, Amenity Space and Landscaping**. Minimum requirements for residential space, internal layout and design as well as outdoor amenity space are clearly set out. Policy on **Public Realm** emphasises the importance of development contributing to sense of place, community cohesiveness, health and wellbeing. In order to manage and respond to pressures for very tall buildings (15 storeys or more) the **Tall Buildings** policy sets out those strategic locations where tall and very tall buildings may be appropriate. A new SPD on Building Heights will set out the parameters for tall and very tall buildings within these locations. Policies on **Extensions** and **Basements** have been introduced to guide proposals that exceed permitted development rights. Policy on **Advertisements** helps to better manage their impact on character and residential amenity.
- *Policy on promoting High Quality Design sets out requirements for Design Codes for small sites and further emphasises the Healthy Streets Approach. Our approach to Public Realm highlights the use of town centre public realm strategies for addressing individual locations. In terms of Tall Buildings the supporting text and policy have been revised and strengthened to set out further design considerations for buildings of height and to clarify thresholds for very tall buildings. The 28 storey maximum height threshold proved to be unjustifiable and has been removed. Barnet's definition of a Tall Building and identification of strategic locations where tall buildings may be appropriate does not mean that all buildings up to 8 storeys or to a height of 26 metres are acceptable in these locations or elsewhere in the Borough. Such proposals will be assessed in the context of other planning policies, in particular Policy CDH01 – Promoting High Quality Design, to ensure that they are appropriate for their location and do not lead to unacceptable impacts on the local area. Heritage policy and supporting text revised to address Historic England's concerns about it being consistent with the NPPF.*
- Chapter on **Town Centres** sets out how these locations will remain the focus for inward investment, vitality and viability despite retail change. The **Vibrant Town Centres** policy sets out the role that these locations play in delivering growth and

improving their overall offer. Policy emphasises importance of protecting local parades of shops to ensure services are available for less mobile residents. The associations with excessive noise, odours, traffic and anti-social behaviour makes the clustering of uses such as hot food takeaways, shisha bars, betting shops and money lenders a problem across the Borough. Having greater control over the location and numbers of such uses will have positive benefits for health and wellbeing. Similarly, policy on the **Night Time Economy** enables the Local Plan to ensure that this growing sector is successful and contributes to safer and more welcoming town centres for visitors as well as residents.

- *Greater emphasis in policies on how Council will promote vitality and viability of town centres and enable their economic recovery by managing them as the priority location for commercial, business and service uses with retail functions safeguarded in primary frontages. Local parades enhanced and protected with stronger safeguarding for local community shops. Agent of Change principle emphasised in order to protect residential amenity from new development and to protect existing businesses from residential development introduced nearby. Adult Gaming Centres and Amusement Arcades added to the uses we need to more effectively manage in town centres.*
- **Community Uses, Health and Wellbeing** sets out how Local Plan can help deliver new social infrastructure in more accessible locations while promoting healthier lives for residents. Within policy on **Community Infrastructure** there is a greater focus on town centre locations for multi-purpose community hubs. Robust justification is required for other locations. **Promoting health and wellbeing** is a consistent theme across the Local Plan and Policy CHW02 signposts specific policies which contribute to positive benefits for Barnet's residents, workers and visitors. In **Making Barnet a Safer Place** the Local Plan sets out the measures that the planning system can take to improve community safety. **Public Houses** also contribute to community wellbeing. In response to the loss of such assets the Local Plan seeks to better safeguard them.
- *Supporting text in this Chapter revised to reflect new Infrastructure Delivery Plan. Clarifications added on requirements from development that increases demand for community facilities and services to make contributions towards existing facilities as well as new and accessible facilities. Support added for proposals that as part of visitor economy help celebrate the culture and history of Barnet. Policy on Promoting Health and Wellbeing revised to highlight that to recover, restore and thrive and make positive difference to health and wellbeing post COVID19 the Council will promote creation of healthy environments as safe, accessible, sustainable and high-quality places which improve physical and mental health and reduce health inequalities.*
- **Economy** sets out how enterprises will be supported and access to employment opportunities secured. A more robust position on protecting employment space in particular for offices, as well as promoting new job opportunities is set out. Policy on **Affordable Workspace** will ensure that new employment development will contribute to floorspace in a variety of formats to support start-ups and SMEs. Requirements on S106 contributions from major development are more clearly expressed in the **Local Jobs, Skills and Training** policy.
- *Supporting text revised to outline impact of Use Classes Order changes to B1 offices. Highlights that any proposals including co-location of residential uses within*

designated employment areas should be employment led. Agent of Change Principle used in favour of existing and proposed employment uses.

- **Environment and Climate Change** sets out how Council is seeking to mitigate climate change and improve access to, as well as to the quality of, parks and open spaces. Requirements for reducing carbon emissions from new development are clarified in policy on **Mitigating Climate Change** while requirements on air and noise quality as well as water efficiency, flood risk and sustainable urban drainage systems are set out in **Environmental Considerations**. The **Dealing with Waste** policy provides linkage with the North London Waste Plan and sets out proposal for utilising additional capacity at an existing waste management facility at Scratchwood Quarry. Policy on **Barnet's Parks and Open Spaces** emphasises improving the quality of spaces of low quality and low amenity as identified in the Parks and Open Spaces Strategy. Barnet's **Green Belt and Metropolitan Open Land** policy continues the robust protection of this land in accordance with NPPF and the London Plan. Policy on **Biodiversity** sets out Local Plan requirements from development that has an impact on biodiversity and habitat quality.
- *Supporting text revised with regard to existing building stock and embodied carbon. Where possible the reuse of existing buildings should therefore be considered. Clarifies requirements for carbon reductions beyond Part L of Building Regulations from energy efficiency measures alone to reduce energy demand as far as possible. New policy on Water Management covering Water Infrastructure, Water Courses, Surface Water Management and Flood Risk. Further clarification that Metropolitan Open Land is protected from inappropriate development in accordance with national planning policy tests that apply to the Green Belt and the London Plan. Requirements for biodiversity net gain are clarified through on-site measures and by contribution to local biodiversity improvements.*
- **Transport and Communications** sets out how the Local Plan is seeking to improve connectivity in terms of sustainable and active travel as well as digital communication. Policy on **Sustainable and Active Travel** supports an improved transport network where dependency on the car is much reduced and advocates application of the Healthy Streets Approach in making non car travel more attractive. The **Transport Infrastructure** policy sets out Local Plan expectations for new or improved stations as well as West London Orbital and Crossrail 2 at New Southgate. A robust justification for setting residential parking standards that better reflect local public transport accessibility in the context of Outer London is set out in the **Parking Management** policy. Zero car parking may be appropriate in areas with high Public Transport Accessibility Levels. Policy on **Digital Communication and Connectivity** emphasises the Council's aim to facilitate high speed broadband and clarifies requirements on the installation of telecommunications equipment.
- *Policies have been revised to reflect the Long Term Transport Strategy, highlighting interventions such as ensuring good connections to bus stops, stations, and strategic, local walking and cycling networks. It's stronger on requiring developments to provide healthy, safe attractive walking and cycling environments. There is a greater focus on enabling more sustainable mode choice, highlighting that active travel benefits health while having the lowest environmental impacts. Requirements added that Travel Plans demonstrate how development is contributing to Mayor's 72% target for trips by sustainable modes. Highlights reducing dominance of car around station through supporting reduced parking spaces, implementing or expanding parking controls and*

enhancing public realm to encourage cycling and walking. In terms of residential car parking, following Directions by the Secretary of State, the London Plan has moved closer to Barnet's parking standards. Barnet Parking Study justifies slight variations with London Plan. Further clarification is provided about the Council's process for establishing new Controlled Parking Zones.

- **Delivering the Local Plan** explains mechanisms for ensuring the infrastructure to support growth is secured.
- *Updated to reflect progress on Community Infrastructure Levy Charging Schedule which has been submitted for examination and to outline role of the annual Infrastructure Funding Statement in identifying projects that will receive CIL funding. Outlines that CIL helps deliver infrastructure to support key objectives of the Local Plan. It also highlights that changes to the CIL regulations in 2019 removed Section 106 pooling restrictions and the requirement for a Regulation 123 list, meaning that both Section 106 and CIL contributions can now be used to fund the same piece of infrastructure. In practice however, to be in accordance with the planning obligations tests, s106 will continue to be used to address site specific impacts, and CIL will be used for more strategic infrastructure.*

Publication Local Plan – Schedule of Site Proposals

- The **Schedule of Proposals** in Annex 1 sets out 66 Local Plan policy compliant site proposals from across Barnet. These proposals all contribute to the delivery of the Local Plan's strategy and spatial vision and are also set out in a summary table within Annex 1.
 - Proposals have been drawn from a number of sources including existing planning documents such as SPDs and Town Centre Frameworks. Inclusion in the Local Plan of these sites which have already gone through a process of public consultation elevates their planning status.
 - Another source has been the Call for Sites information gathering exercise. The Council has conducted 4 rounds of Call for Sites since 2009.
 - Sites have come forward as proposals following a robust assessment process ensuring that constraints such as flood risk or location in a conservation area are factored into what is set out in the Local Plan.
 - Site proposals help to deliver the Local Plan. They do not preclude new regeneration initiatives that are consistent with the new policy framework. As the Local Plan progresses a number of sites will obtain planning consent. It is most likely that as a consequence of such consent they will be deleted as site proposals in the emerging Local Plan.

Annex 1 has been reformatted with the addition of satellite maps and site photographs. Proposals have been revised to provide further justification for identifying the proposal in the Local Plan and set out more specific information on planning designations such as Conservation Areas and Green Belt / MOL as well as relevant planning applications. Proposals revised to reflect the Strategic Flood Risk Assessment Stage 2. Also updated to reflect progress in planning applications and appeals. Reflects significant changes in Use Classes Order 2020. This is particularly relevant to town centre sites.

2. REASONS FOR RECOMMENDATIONS

- 2.1 Failure to progress a review of the Local Plan (adopted in 2012) will delay the delivery of sustainable development and infrastructure, while reducing the Council's power to protect and enhance the Borough through planning decision making. The NPPF states that Local Plans should be reviewed at least every five years in order to reflect changing circumstances locally or changes to national policy. The Council's ability to shape the future of the Borough and manage range will be severely compromised by not having an up to date planning policy framework. The Council and Barnet residents and businesses will have less of a say on the future of the Borough as important planning decisions are made by the Mayor of London and the Planning Inspectorate in an incremental fashion.
- 2.2 The absence of an up to date Local Plan and any unwillingness to replace it will reduce opportunities for private inward investment as well as funding support from the Government and Mayor of London, such as the Good Growth Fund and Housebuilding Capacity Fund.

3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

- 3.1 The previous version of the Local Plan at Reg 18 stage set out and justified the Council's preferred policy approach. It also set out reasons why it is considered that there are no realistic alternatives.

4. POST DECISION IMPLEMENTATION

- 4.1 Following approval of the Reg 19 document the Local Plan will be subject to a six week period of public consultation. The next stages are set out below
- Reg 19: Publication of Local Plan and Consultation – Autumn 2020
 - Reg 22: Submission – Autumn 2021
 - Reg 24: Examination in Public – Spring 2022
 - Reg 26: Adoption – Autumn 2022.

5. IMPLICATIONS OF DECISION

5.1 Corporate Priorities and Performance

- 5.1.1 The Local Plan is the statutory spatial expression of corporate strategies including the Corporate Plan, Growth Strategy, Housing Strategy, Long Term Transport Strategy and Health and Wellbeing Strategy. It will deliver against the four main priorities of Barnet's Corporate Plan 2021 to 20215 as follows :
- Clean, safe and well-run – a place where streets are clean and anti-social behaviour is dealt with so that residents feel safe -
 - In keeping Barnet clean the Local Plan addresses environmental problems that arise from the clustering of uses such as hot food takeaways, shisha bars and betting shops;

- Local Plan has specific policy on Making Barnet a Safer Place. The use of Designing out Crime is highlighted throughout the Local Plan and reference is made to the Secured Resilient Design Tool for places where crowds may congregate.
- The Local Plan utilises Healthy Streets Indicators such as good street lighting to safely promote walking, cycling and use of public transport;
- Family friendly – enabling opportunities for our children and young people to achieve their best -
 - Ensuring we are a family friendly borough is reflected throughout the Local Plan in particular policies on Mitigating Climate Change, Housing Mix and Barnet’s Parks and Open Spaces as well as Sustainable and Active Travel.
 - In ensuring the needs of children are considered the Local Plan seeks to tackle childhood obesity by not allowing any new hot food takeaways within 400 metres of a school or youth centre. It also seeks to deliver new high quality homes that meet space standards;
 - Policies on Housing support accommodation for vulnerable people helping them to live independent lives;
 - Specific policy on Local Jobs, Skills and Training sets out how the Local Plan will help people access the employment opportunities generated by growth; and
 - The Infrastructure Delivery Plan which supports the Local Plan together with contributions from development through S106 and Community Infrastructure Levy helps to ensure the Council has good schools and enough school places so all children have access to a great education.
- Healthy – a place with fantastic facilities for all ages, enabling people to live happy and healthy lives -
 - Policy on promoting health and wellbeing cross-refers to a range of policies supporting healthier lifestyles including Sustainable and Active Travel as well as protecting public houses in recognition of their contribution to community cohesiveness;
 - Creating a sense of place that encourages social interaction and physical activity is an aim of the policy on Public Realm. Making public realm more accessible and welcoming can help, as a consequence of development, create or improve public space that can serve as a venue for celebrating Barnet’s diversity and tackle anti-social behaviour and environmental crime.
- Thriving – a place fit for the future, where all benefit from improved sustainable infrastructure, housing and economic opportunity -
 - The Vibrant Local Economy and Affordable Workspace policies help to safeguard existing employment floorspace and secure new affordable floorspace from development. Utilising vacant space in town centres for meanwhile uses is supported when it contributes to vitality and viability;
 - Policies in the Housing and Character, Design and Heritage Chapters seek to ensure access to decent quality affordable housing;
 - Chapter on Delivering the Local Plan sets out mechanisms for securing funding from growth to invest in social infrastructure to support a growing population. The

Infrastructure Delivery Plan sets out the needs, gaps and deficits in provision, along with the costs of providing the infrastructure;

- The Local Plan approach to delivering sustainable growth demonstrates responsible delivery of Barnet's major regeneration schemes including transformation at Brent Cross Cricklewood and growth projects such as Edgware Town Centre creating better places to live and work, whilst protecting and enhancing the Borough, in particular it's suburban qualities.

5.2 Resources (Finance & Value for Money, Procurement, Staffing, IT, Property, Sustainability)

5.2.1 The cost of producing and consulting on the Local Plan is included in the Re contract but the cost of examination in public and any associated legal costs is excluded and will need to be funded by the Council in late 2021-22 and early 2022-23 (estimated budget is £150k to allow for uncertainties). The costs associated with preparing a North London Waste Plan were also excluded from the contract and have been funded each year accordingly, a small budget (up to £10k) for adoption costs in 2021-22 is required.

The Local Plan is supported by an extensive evidence base, the requirements of which are subject to change. Most of the evidence required was included within the Re Core Contract. Although, when embarking on the review of the plan in 2017 the Council agreed to fund specific additional evidence requirements that were agreed to have not been specified in the original Re contract. This includes the Green Belt and Metropolitan Open Land Study, Residential Conversions Study, Car Parking Study, and a Strategic Transport Assessment, all of which have been completed to date. Although not a specific evidence requirement for the Local Plan, a Biodiversity Action Plan is being produced by the Council. A budget of £40k will be required to unlock preparation of Barnet's Biodiversity Action Plan in late 2021-22.

5.2.2 The cost of consulting on the Local Plan is met by Re. The Council's Statement of Community Involvement (SCI) (October 2018) and the COVID19 SCI Addendum (September 2020) sets out consultation requirements for the Local Plan. The cost of any additions to these requirements will need to be met by the Council, no additional costs have been identified to date but an allowance might be required for uncertainties.

5.2.3 The Local Plan promotes a number of sites that have been put forward through the Council Assets Disposal Programme. These sites have predominantly provided community uses. Through the Local Plan the Council can ensure that any future redevelopment is policy compliant and benefits from community engagement prior to any future planning application.

5.3 Social Value

5.3.1 The Local Plan will secure a range of social, economic and environmental benefits. These are set out within the body of this Report and detailed within the Sustainability Appraisal of the Reg 19 document.

5.4 Legal and Constitutional References

5.4.1 The Planning & Compulsory Purchase Act 2004, in particular Regulation 18 and 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012, provides guidance on the preparation and adoption of Local Plan documents. This includes public

availability under Regulation 35. Upon adoption the Local Plan becomes a statutory Development Plan Document that forms part of Barnet's formal planning policy framework.

5.4.2 Under the Council's Constitution, Article 7 - Item 7.5 (Responsibility for Functions) sets out that the Policy and Resources Committee is responsible for the overall strategic direction of the Council including responsibility for Local Plans.

5.5 Risk Management

5.5.1 The Local Plan process faces a number of risks and these are managed by the Council's Strategic Planning Operations Board which meets monthly. The major identified risks are:

- the Local Plan being found unsound by a Planning Inspector. This can be mitigated by use of Planning Advisory Service (PAS) Local Plan Route Mapper and Toolkit for use when undertaking a review and update of local plan policies which includes guidance and checklists for ensuring soundness, legal compliance and a robust evidence base supporting the Local Plan;
- a failure to meet the legal requirements of duty to cooperate with neighbouring authorities and statutory agencies such as Historic England and the Environment Agency is another major risk. Through early and ongoing engagement including working with the West London Alliance this can be mitigated. As evidence that engagement is underway the Council has produced a Duty to Co-operate Statement;
- another significant risk is that the GLA consider the Local Plan not to be in general conformity with the new London Plan. The Local Plan has been produced to reflect the London Plan and the Council has ensured ongoing engagement with the GLA's London Plan team;
- a lack of political and local support for the Local Plan can be addressed through the cross-party Members Advisory Group who act as a sounding board for issues that the Local Plan should address.

5.6 Equalities and Diversity

5.6.1 The Equalities and Diversity Act, 2010 outlines the provisions of the Public Sector Equalities Duty which requires Public Bodies to have due regard to the need to:-

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act, 2010;
- Advance equality of opportunity between people of different groups; and
- Foster good relations between people from different groups.

5.6.2 Relevant protected characteristics are: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation.

5.6.3 The Local Plan, once adopted, has the potential to impact on all of those who live, work and visit the Borough. An Equalities Impact Assessment (EQIA) (see Appendix C) has been undertaken as part of an Integrated Impact Assessment of the Local Plan. Policies contained within the Reg 19 document could potentially have significant effects on those individuals who share one or more of the nine protected characteristics identified under

the Equalities Act 2010, particularly those which relates to housing, transport, employment, environment and inclusive design.

5.6.4 The EqIA identified that many of the policies would have a positive effect across equalities groups particularly those which relate to housing (e.g. the provision of affordable housing and specialist housing), high quality design (e.g. emphasis on inclusive design will be beneficial to disabled people), the promotion of employment and training opportunities to help reduce poverty and improvements within the built environment to make it more inclusive. However, the EqIA did note that there is potential for conflict in protecting heritage assets and making alterations to improve disabled access, e.g. ramps / lifts may not be considered appropriate in some listed buildings. Where significant effects are identified, appropriate mitigation strategies need to be put in place to avoid or reduce impacts.

5.7 Corporate Parenting

5.7.1 Not applicable.

5.8 Consultation and Engagement

5.8.1 Early engagement on the Local Plan commenced in late 2017 with a series of workshops with community representatives, Councillors and Chief Officers. This helped create the vision and objectives for the Local Plan. The Council undertook extensive engagement on the Preferred Approach in early 2020 and this feedback has informed the Publication Local Plan.

5.8.2 The Local Plan is now at a critical stage where representations are required to focus on the 'soundness of the plan' as set out in the NPPF. To be sound the Plan must be

- Positively prepared – providing a strategy which seeks to meet Barnet's objectively assessed needs;
- Justified – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
- Effective – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters and
- Consistent with national policy.

5.8.3 Representations on the soundness of the (Reg 19) Publication Local Plan will be submitted to the Planning Inspectorate for the Examination in Public along with the Local Plan and supporting evidence.

5.8.4 The Reg 19 Local Plan document will undergo public consultation for a period of 6 weeks. Consultation will be carried out in accordance with the 2018 Statement of Community Involvement (SCI) and 2020 SCI COVID19 Addendum. A Reg 19 Consultation Strategy sets out more detail on engagement activities, including working with boroughwide groups under the protected characteristics of the Equalities Act

5.8.5 To help assist the Reg 19 consultation the Council will also provide a summary version of the 52 policies in the Local Plan and an online representations form that helps respondents address the 'test of soundness'.

5.9 Insight

5.9.1 N/A

6. BACKGROUND PAPERS

- 6.1 Policy & Resources Committee - 6th January 2020 (Item 13) – Barnet’s Local Plan – Preferred Approach - (Reg 18)
<https://barnet.moderngov.co.uk/documents/s56947/Reg%2018%20PR%20Committee%20Report2.pdf>
- 6.2 Policy and Resources Committee – 24th September 2020 (Item 11) - Barnet’s Statement of Community Involvement – COVID 19 Addendum
<https://barnet.moderngov.co.uk/documents/s60203/Barnets%20Statement%20of%20Community%20Involvement%20-%20COVID%2019%20Addendum.pdf>
- 6.3 Policy and Resources Committee – 8th February 2020 (item7) - Review of Community Infrastructure Levy (CIL) Eligibility Criteria and Guidance
<https://barnet.moderngov.co.uk/documents/s63172/Review%20of%20Community%20Infrastructure%20Levy%20CIL%20Eligibility%20Criteria%20and%20Guidance.pdf>
- 6.4 Local Plan Integrated Impact Assessment – Sustainability Appraisal, Equalities Impact Assessment and Health Impact Assessment
- 6.5 Local Plan Reg 18 Consultation Statement
- 6.6 Local Plan Reg 19 Engagement Strategy
- 6.7 Note from Planning Inspectorate Advisory Visit – April 2021.