

LB Barnet Local Plan EiP – Matter 5 (Representor ID: ID094)

Subject Responses to Inspectors MIQs (LB Barnet Local Plan Examination)
Initiator Knight Frank (on behalf of Mill Hill Missionaries)
Date 23 August 2022

MATTER 5 QUESTION 3

Is Policy ECC02A; positively prepared, justified, effective, consistent with national policy and in general conformity with the London Plan insofar as it relates specifically to water management policy in terms of flood risk, surface water management, water infrastructure and water courses? Responses should specifically address the following:

- a) Whether the approach is consistent with national policy which seeks to avoid inappropriate development in areas at risk of flooding by directing development away from areas at highest risk, and its associated approaches to flood defences, water management, drainage and SuDS?***
- b) Is there specific justification for any duplication or departure from national policy with respect to the approach to flood risk included in Policy ECC02A, its supporting text and Table 19?***
- c) What is the justification for expecting proposals for minor and householder development to incorporate SuDS 'where applicable' and is such an approach reasonable and proportionate to ensure effectiveness?***
- d) Are the expectations of development proposals in Policy ECC02A justified in terms of requirements for additional evidence such as flood risk assessments and management plans and adoption of water efficiency standards, and effective insofar as it is evident how a decision maker should react to planning applications?***
- e) Is it sufficiently clear as to how any developer contributions arising from the policy requirements would be calculated, whether they have been viability tested and would they otherwise be consistent with national policy?***
- f) Are the proposed modifications suggested by the Council in terms of restrictions on connections to the National Highways drainage network, justified and effective and would they have any implications for the soundness of other policies or site allocations in the Plan?***
- g) Are there any requirements set out in the supporting text that are not reflected in the policy wording, are they justified and if so, should they be added to Policy ECC02A (or other related policies of the Plan) to be effective?***
- h) Would further changes to the policy or its supporting text, including the proposed modifications already provided by the Council, be necessary to achieve soundness?***

Note that the site referenced below is Land East of Lawrence Street, Mill Hill (Landowner: Mill Hill Missionaries) and our intention is to provide helpful feedback to help create a sound Local Plan. Representations to promote the site for residential development have previously been submitted (Representor ID: ID094).

We suggest that the methodology applied to site selection in respect of flood risk should consider the potential for the site to be able to come forward (for residential development) that supports the delivery of flood alleviation / surface water drainage proposals.

Figure E3-5 Mill Hill Circus Preferred Option Locations (of the Surface Water Management Plan Volume 2 – Appendices) highlights potential flooding proposals for the site. This document forms the existing Local Plan evidence base and is not recognised in the emerging Local Plan. We consider that this omission should be reviewed (especially in respect of our recent discussions with the Council summarised below).

Within the last c. 6 months we have been talking to LB Barnet Property Team in respect of potential flood alleviation / surface water drainage proposals at the site. The Council has prepared draft plans and our team is currently assessing these proposals, alongside liaising with the Environmental Agency. A surface water solution for the site / area is required, and we seek to work with the Council (Property, Planning) to agree a deliverable outcome that would benefit the wider Mill Hill Circus area.

We suggest that residential development at the site could help deliver these flooding mitigation proposals and ensure a long term sustainable and resilient solution. The proposals set out in the Local Plan evidence base are on third party land and therefore the Council needs to work in collaborative manner with Mill Hill Missionaries (the landowner) in order to deliver a possible strategic solution for the area.

It is not clear whether the plan-makers have taken the above approach into account as part of the preparation of the Local Plan.

This approach would help support the plan be positively prepared, justified and effective in respect of soundness.

MATTER 5 QUESTION 5

Is Policy ECC05 positively prepared, justified, effective, consistent with national policy and in general conformity with the London Plan? In particular:

- a) Have exceptional circumstances been fully evidenced and justified for the proposed adjustments to the Green Belt and Metropolitan Open Land boundaries and should the associated changes to the Policies Map be reflected in the policy or elsewhere in the Plan?***
- b) What is the justification insofar as setting out that development adjacent to Green Belt should not have a detrimental effect on its openness?***
- c) Would further changes to the policy or its supporting text, including the proposed modifications already provided by the Council, be necessary to achieve soundness?***

Note that the site referenced below is Land East of Lawrence Street, Mill Hill (Landowner: Mill Hill Missionaries). Representations to promote the site for residential development have previously been submitted (Representor ID: ID094).

We consider that exceptional circumstances – including flood alleviation / surface water management (in addition to those set out in our Regulation 19 representations) – exist for the site to be released from the Green Belt and be allocated for future residential development.

As set out in our previous representations, exceptional circumstances include the following:

- Helping deliver required flood alleviation / surface water drainage proposals to resolve a wider strategic issue at Mill Hill Circus at location identified for future works;
- Housing need and the need to ensure that the Borough contributes to meeting the housing requirement as a minimum, whilst also considering the shortfall of housing across London overall;
- Housing price and affordability issues within the Borough and wider Market Area;
- Housing mix imbalances and ensuring that the right type of housing (such as market / affordable housing, or senior living) is delivered in the right places in the Borough;
- The ability of the site to contribute positively to housing delivery and help ensure the Borough has a positive housing land supply position;
- The fact that the site is available; offers a suitable location for development; and delivery is achievable within the next five-years;
- The development of the site would align with the sustainability directives set out in national and local planning policy
- The sustainable and accessible location of the site and the fact that it is well-connected to local services and facilities;

- The low performance of the site in Green Belt terms and how development could serve a greater purpose and facilitate a more beneficial use of the site;
- The ability of the site to incorporate areas of community-related development and open space;
- How the development of the site can ensure the long-term preservation of the designated heritage asset; and
- That the site is not constrained by any environmental or landscape designations.