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PROPOSED MAIN MODIFICATIONS TO SUBMISSION DRAFT (MAY 2024)

BARNET LOCAL PLAN REPRESENTATIONS – JUNE 2024

1 Introduction

- 1.1 These representations are made by Quod on behalf of Regal JP North Finchley Limited (“Regal JP”) who has an interest in the realisation of the Council’s aspirations for the Town Centre as set out in the North Finchley Town Centre Framework Supplementary Planning Document (February 2018) (“the SPD”).
- 1.2 Regal JP is committed to working alongside the Council to deliver coordinated regeneration across North Finchley. However, the challenges involved in delivering the scale of regeneration envisaged should not be underestimated and it is, therefore, critical that the Local Plan provides a sufficiently clear policy framework to support and facilitate the growth required.
- 1.3 The growth planned at North Finchley forms a key part of the overall spatial strategy for the Local Plan. Whilst Regal JP is generally supportive of Barnet’s proposed Main Modifications, more clarity could be provided with regards to the approach to housing numbers in this location. In addition, it is considered that certain draft policies do not go far enough to respond positively to the Inspector’s recommendations. As such, sufficient clarity is not provided on the intent for change across the town in seeking to meet evidenced growth needs.
- 1.4 Nevertheless, Regal JP remain fully supportive of the Council’s growth plans at North Finchley and is confident that the matters raised in these representations can be addressed through selective refinements to the draft Local Plan. Regal JP look forward to continued engagement with the Council.
- 1.5 Regal JP’s representations to the proposed Main Modifications to the Submission Draft Local Plan are made in this context and are set out below.

2 Representations

Draft Policy BSS01 (Spatial Strategy for Barnet)

- 2.1 Chapter 3 of the Draft Plan sets out Barnet’s Vision and Objectives. Draft Policy BSS01 outlines the Spatial Strategy for Barnet. Over the Plan period to 2036, the Council seeks to facilitate the delivery of a minimum of 35,460 new homes equal to 2,364 new homes per annum.
- 2.2 Regal JP support the proposed policy amendments which highlight the importance of making effective use of land in urban areas and “ensuring the viability and vitality of Barnet’s Major and District town Centres through an appropriate mix of uses.” North Finchley is defined as a District Town Centre, and the redevelopment of the existing urban areas to deliver a range of uses will ensure that the anticipated growth can be realised, and that the Town Centre has a viable future.



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2.3 The supporting text that has been incorporated at paragraph 3.3.1E which recognises that *“the changes to the Use Classes Order (2020) remove restrictions on changes of use and allow greater flexibility for opportunities to change between main town centre uses, supporting town centre vitality and viability”* is also supported.

Draft Local Plan Policy GSS08 (Barnet’s District Town Centres)

2.4 Draft Local Plan Policy GSS08 supports investment and revitalisation across the Borough’s District Centres, including North Finchley. The Main Modifications propose that the draft Policy wording is amended to include recognition that the Council will *“positively consider proposals on suitable sites within the District Town Centres which optimise the use of land and site capacity through a design-led approach”*. This addition is aligned with the principles set out in London Plan Policy D3 and is supported.

2.5 In addition, text is proposed at paragraph 4.21.8 which recognises that residential-led intensification of North Finchley, along with the provision of an appropriate mix of uses, will create a greater contribution to the town centre’s diversification and overall ‘offer’, assisting its revitalisation. Regal JP are fully supportive of this proposed inclusion.

2.6 However, text is proposed to be added to Section A (Level of Development), part (b) on the provision of community, retail and other main Town Centre Uses including offices and leisure. The proposed modification states that this type of floorspace should be provided subject to *“no unacceptable impact upon the vitality and viability of other town centres”*.

2.7 Regal JP is concerned that as currently drafted, this could be interpreted in a way that would require all proposals for Town Centre Uses, regardless of location, to demonstrate that there would be no impacts on other centres. This is contrary to draft Policy GSS09, Policy SD7 of The London Plan (Town centres: development principles and Development Plan Documents), and Chapter 7 of the NPPF (Ensuring the Vitality of Town Centres) which all set out clear requirements for when it is necessary to assess impacts on other centres, i.e. through the application of Sequential Tests and Impact Assessments. Clarity should therefore be added to this part of the policy to confirm that these types of uses *“should be provided subject to no unacceptable impact upon the vitality and viability of other town centres where applicable in accordance with Policy GSS09”*.

2.8 Proposed additional text to Paragraph (d) of Part B (Development Proposals and Infrastructure Requirements) states that the Council will support proposals for district town centre development that *“do not have a negative impact on the amenity of areas outside of the town centre and that any new commercial floorspace relates to the size and the role and function of a town centre and its catchment.”* It is not clear why this additional text is proposed, and no evidence appears to have been provided to justify its inclusion. Proposals for commercial floorspace should be assessed on a site-by-site basis in accordance with the other policies of the Local Plan, and it is considered that this text has the potential to limit flexibility required to deliver sustainable growth within district town centres. As such, Regal JP considers that this proposed text should be deleted.

2.9 Section 4.8 of the supporting text to Policy GSS08 regards delivering Sustainable Growth and Table 5 provides minimum housing delivery targets throughout the Borough. North Finchley is identified as delivering a minimum of 820 new homes over the plan period, however the total



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minimum number of new homes to be delivered across the Borough's Town Centre is proposed to be reduced from 5,400 to 5,100. This reduction is disappointing; however, the Inspector has made it clear (Inspectors' interim findings and next steps, 17 August 2023) that these targets are minimums, and that uplifts can be proposed in accordance with London Plan Policy D3.

- 2.10 Despite this, the subtext within paragraph 4.8.5 is proposed to be amended to read *“Barnet can deliver against and potentially exceed a minimum housing target of 35,460 new homes from 2021 to 2036.”* In order to align with the Inspector's requirements, Regal JP considers that 'potentially' should be removed from this paragraph.
- 2.11 Notwithstanding the above amendments, the priorities of GSS08 are generally supported. However, given the scale of change and growth planned by the Council at North Finchley (as evidenced in the adopted SPD) Regal JP does not consider that a general town centre policy gives enough clarity to enable the step-change in growth required. The SPD notes that North Finchley is one of the Borough's largest centres and sets out the scale of ambition proposed across the town in order to facilitate successful and long last revitalisation.
- 2.12 To ensure the Local Plan is soundly based, with a positively prepared strategy, that is effective and deliverable, Regal JP has previously put forward that a specific policy be prepared for North Finchley. However, the Main Modifications do not propose that this approach is to be taken forward. Regal JP re-emphasise that including a specific policy for North Finchley provides the most effective way of ensuring that the required growth is delivered, and as such would request that LBB reconsider their approach.
- 2.13 As required by the NPPF the policy should provide a clearly written and unambiguous explanation of the scale of change proposed across the Town Centre, highlighting the specific matters that need to be considered in assessing any applications proposals, and importantly the infrastructure required to support coordinated revitalisation.

Draft Policy GSS11 (Major Thoroughfares)

- 2.14 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 offer opportunities to support growth, benefiting from the public transport facilities that run along them. However, it is recognised that the characteristics of these corridors is variable.
- 2.15 Part B, section (b) of the policy states development proposals along these corridors will be supported where it can be demonstrated that the *“design that relates to the context and character of the surrounding area, including suburban streets behind the thoroughfare.”* It is considered that as currently drafted, this text fails to acknowledge the variable characteristics of these areas as previously referenced, and does not take into account that it may not be desirable for new proposals to relate to the context and character of the surrounding area, if the existing surroundings are not high quality.
- 2.16 We therefore consider that the highlighted text should be revised to allow for flexibility in delivering high quality development that isn't strictly limited to 'relating' to the surrounding context and character. It is suggested that the text is amended as follows: *“design that responds to the context and character of the surrounding area, including suburban streets behind the thoroughfare where appropriate.”*



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Draft Policy CDH04 (Tall Buildings)

- 2.17 Draft Policy CDH04 pertains to tall buildings. In the Inspector's Interim Comments (August 2023), it was noted that modifications were necessary to enhance the policy's effectiveness, ensuring clarity on how decision-makers should evaluate development proposals for tall buildings. Specifically, the inspector called for clarification that proposals for sites outside the locations designated as potentially suitable for tall buildings should not be refused and instead, these proposals should be assessed against specified criteria (i.e. Policy CDH04 and London Plan Policy D9). In addition, the removal of the 'Very Tall' category was required, which was not consistent with the London Plan. Regal JP is pleased that these requirements have been actioned as part of the Main Modifications.
- 2.18 The Inspector also required that *“Map 4 should be updated to include all the locations identified in the Tall Buildings Study Update that may be appropriate for tall buildings, including...the clusters around Whetstone and North Finchley identified on page 39”*
- 2.19 Page 39 of the Tall Buildings Study Update states that *“taking into consideration the existing heights, the character of the area, proximity to town centres and public transport accessibility, two clusters have been identified as suitable for tall buildings of between 8 and 14 storeys. The two clusters are linked to the town centres of Whetstone and North Finchley”*.
- 2.20 To reflect this evidence, Map 4 had previously identified North Finchley Town Centre as a location that is potentially suitable for tall buildings. This approach recognised the contribution that carefully designed tall buildings can make to the delivery of sustainable growth. However, the Main Modifications now propose that only the site allocations listed in Annex 1, rather than the Town Centre as a whole, are categorised in this way. Whilst Regal JP support this approach to the Annex 1 sites, it is considered that in order to address the Inspector's comments, North Finchley Town Centre as a whole should continue to be identified on Map 4 as a location that is potentially suitable for tall buildings.
- 2.21 Notwithstanding this, Regal JP support the removal of the 'Very Tall' category from Policy CDH04 which wasn't in line with the London Plan.

Annex 1 – Schedule of Site Proposals

- 2.22 Annex 1 sets out a schedule of sites allocated for development, which in respect of North Finchley, align with the Key Opportunity Sites identified in the SPD. It is noted that the percentage proportions which were previously quoted for proposed uses for each site have been removed. This approach is supported.
- 2.23 In respect of Site 57, 58, 61 and 66, the Main Modifications propose to add the following text regarding tall buildings. *“..all tall building proposals will be subject to a detailed assessment of how the proposed building relates to its surroundings responds to topography, contributes to character, relates to public realm, natural environment and digital connectivity.”* It is not clear why this text is necessary when Policy CDH04 contains detailed criteria for tall building proposals. To ensure consistency and clarity, and respond to the Inspector's requirement to *“specify an approach to tall buildings that is consistent with Policy CDH04”*, Regal JP request that this text be amended as follows: *“..all tall building proposals will be subject to the criteria set out in Policy CDH04.”*



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2.24 Annex 1 provides site requirements and development guidelines for each site. In most cases these represent general good practice urban design principles. However, in some cases very specific guidelines are suggested. For example, the Site requirements and development guidelines for Site 66: East Wing (Key Opportunity Site 4) (North Finchley Town Centre) include the following:

“The curved Sea Rock façade at the junction of the High Road and Woodhouse Road is on the Local List and should be retained as a local landmark. Development should be sensitive to and consistent with the existing and retained buildings, with height on the High Road matching the height of the retained buildings as a guide. Where floors above this level are added, these need to be set back from the building line. Higher buildings may be appropriate in the south-eastern corner of the site, if set back from the existing High Road building line.”

2.25 It is unclear what evidence base material is driving these specific guidelines, but we consider that the Local Plan should not prematurely define height. Development massing, density and design should be optimised through a design-led approach as required by the London Plan and other policies within the draft Local Plan. We therefore request that the content of the site requirements and development guidelines for Site 66 be revised as follows:

“The curved Sea Rock façade at the junction of the High Road and Woodhouse Road is on the Local List and consideration should be given to its ~~should be retained~~ retention as a local landmark. Development should be sensitive to ~~and consistent with the existing and retained buildings,~~ with height on the High Road matching the height of the retained buildings as a guide. Where floors above the retained this levels are added, these may need to be set back from the building line. Higher buildings may be appropriate ~~in the south-eastern corner of the site,~~ if set back from the existing High Road building line.”

2.26 In respect of Site 58: 811 High Rd & Lodge Lane Car Park (Key Opportunity Site 6), we question why the development delivery timeframe is proposed to be amended from 0-5 years to 6-10 years. As the Council are aware Regal JP are in the process of preparing a full planning application for this site which will be submitted towards the end of this year. As such, the retention of a 0-5 year delivery timeframe would be more accurate.

2.27 Annex 1 also provides ‘indicative redevelopment capacities’ for allocated sites. It is noted that in several other allocations such as Site No.63 Philex House (Major Thoroughfare); Site No.65 Barnet Mortuary (former) (Major Thoroughfare) and Site No.67 Great North Leisure Park (Major Thoroughfare), it is clarified that the capacity identified is a minimum. It is not clear, nor evidenced why this approach is taken forward with some sites and not others.

2.28 As such, and in line with the Inspector’s comments, Regal JP request that for all of sites within North Finchley Town Centre (Site 57, 58, 60, 61, 64 and 66), additional text should be added to confirm that the indicative residential capacity is a minimum quantum.

3 Summary

3.1 In summary, it is important that the emerging Plan contains policies that support and facilitate planned growth, in particular in those locations where significant growth is to be accommodated.



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- 3.2 Whilst we consider the draft Local Plan to be technically sound, we consider that the above amendments should be made to improve clarity. Regal JP would welcome the opportunity to discuss these matters in more detail with the Council.
- 3.3 We trust that you will fully consider our client's comments and ensure that any emerging policy does not prevent the successful regeneration of North Finchley from being realised.