

Matter 9 Brent Cross – Cricklewood
London Borough of Barnet
Examination Written Statement

Hearing Session 8 December 2011

Prepared on behalf of A2Dominion

November 2011

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1.0 INTRODUCTION

1.1 This statement is submitted in response to the matters raised by the Inspector in his 'Hearing Programme and List of Matters' dated 25th October 2011, specifically in response Matter 9 Brent Cross – Cricklewood. Our response to the Inspector's questions are set out below; it is also our intention to appear at the Hearing Session.

1.2 Barton Willmore are instructed by A2Dominion Group ('A2D'). A2D provides over 33,000 homes across London and southern England with thousands in development. It offers a wide range of housing options, including affordable rented, temporary, student, sheltered, supported and key worker accommodation, as well as homes for sale and shared ownership. A2D is the owner of the 1.453 ha Geron Way site in Cricklewood, falling within the Cricklewood, Brent Cross and West Hendon Regeneration Area SPG December 2005.

1.3 The site is the subject of an extant planning application (LPA Ref F/01932/11) for:

"Redevelopment to provide for 262 residential units, 812 sq.m of commercial accommodation (B1, D1 and D2) and associated car parking and amenity space, and creation of new vehicular access from Edgware Road."

1.4 A2D are broadly supportive of the CS, with the Cricklewood / Brent Cross area identified for growth. Our concern, as articulated in our statements made in respect of Matter 1, is the role and approach of the CS in guiding that growth, specifically its delegation to other historic policy documents.

Question 1: Does the CS provide an appropriate framework for guiding development in the BXC area? Is it necessary to strengthen the links between the non statutory development framework and the CS? Which development standards will be applied when considering development within the BXC?

- 1.5 When considering the above, the first issue to consider is the role and purpose of a CS in guiding development in an area such as BXC, whether there is a need for a greater level of policy detail beyond the CS and what form that should take.
- 1.6 PPS12 identifies that the purpose of a CS is to set out the overall vision, strategic objectives for an area and the delivery strategy for those objectives (paragraph 4.1). It should also be in general conformity with the London Plan (paragraph 4.2). It is appropriate for a Core Strategy to allocate strategic sites that are considered to be central to the achievement of the strategy (paragraph 4.6). However as a document that looks to the long term it should not include site specific detail that will date quickly (paragraph 4.7).
- 1.7 In terms of guiding development in the BXC area, the approach of the CS is to monitor the implementation of the extant planning permission for the wider BXC area. In terms of policy, rather than set out new policy it seeks to 'carry over' the saved policies of the UDP 2006 and the Development Framework SPG 2005 (page 37) to guide and determine new applications against. If there is a delay to implementation of the planning permission, the CS identifies that the Council will consider a review of the Core Strategy and LDS.
- 1.8 In light of the above, the following questions arise:
- Should the CS stand alone of the London Plan 2011?
 - Should the CS stand alone of the Development Framework SPG 2005 and Saved Policies of the UDP 2006?
 - Is there a need for a greater level of detail to guide development beyond the CS? If so are the Development Framework SPG 2005 and saved policies of the UDP 2006 the appropriate documents?
 - What is the role / significance of the extant planning permission in the context of the CS?

- 1.9 The CS should stand alone of the London Plan 2011, but it should be in general conformity with its provisions. In this respect the London Plan 2011 Policy 2.13 identifies Cricklewood / Brent Cross as an Opportunity Area to deliver 10,000 new homes and an employment capacity of 20,000 by 2031. In accordance with PPS12, the role of the CS is therefore to set out the overall vision and strategic objectives for the Brent Cross / Cricklewood Opportunity Area and the delivery strategy for achieving those objectives.
- 1.10 In our view, as drafted the CS does not achieve this, instead relying on the historic policy provisions of the UDP and SPG to set out the policy position with the extant grant of planning permission for delivery.
- 1.11 In light of the grant of planning permission, one option would be for the CS to simply not take forward a policy basis for Brent Cross / Cricklewood and instead identify the site as a commitment in the relevant housing and employment trajectories. Whilst an option, given the importance of the BXC area to the growth and spatial strategy of the Borough, and that there is potential for the permission to lapse or be partially implemented, we do not consider this to be in the interests of the proper planning of the area.
- 1.12 In our view there is a need for greater level of strategic vision and objectives within the CS and in terms of guiding development in the BXC area as per the Inspector's questions. Central to this is the need for the CS to stand alone from the UDP, SPG and planning permission.
- 1.13 Notwithstanding the above, there is a need for a further level of policy detail, beyond that appropriate for a CS, to guide development within the BXC area. The SPG may be the appropriate vehicle to achieve this. However, can the Inspector be sure that the SPG as drafted is a sound basis to guide development within the BXC area?
- 1.14 As drafted the CS appears to be written on the premise that the policy provisions of the SPG and UDP are 'carried over', seemingly without any assessment or review as to whether they are fit for purpose. For example, the SPG is 6 years old and predates current market conditions. Accordingly whilst it may still be the appropriate vehicle to guide development (as opposed to an AAP), rather than the CS seeking to strengthen links with it as drafted, there should be a clear commitment to review its provisions. This review should include changes in policy,

the recent grant of planning permission, how the permitted site is coming forward, how this relates to sites outside of the permission but within the Opportunity Area, associated changes to public transport levels as improvements are made and implications for parking levels and density of development.

- 1.15 In terms of the development standards to be applied. As drafted it is not clear how the various policies of the UDP, SPG, CS and Development Management Policies DPD inter relate and how they will be applied when considering development within the BXC area. This is evident in respect of car parking policies contained within the saved policies of the UDP and the Development Management DPD which set out different car parking policies. Specifically as it is the more recently adopted DPD policy that should be afforded the greater weight in determination of applications.
- 1.16 In our view this should be clarified by the Council within the Development Management DPD and a matter to be explored further as part of the review of the SPG.
- 1.17 In summary when considered against the tests within PPS12, in our view the CS is not 'effective' in that it is inflexible and relies on the implementation of the extant grant of planning permission rather than set out a strategic vision and objectives for the area for the lifetime of the development plan. Evidence of the inflexibility of the CS is that it identifies that if the approved development does not proceed as planned, the CS may need to be reviewed. PPS12 Para 4.46 identifies that 'authorities should not necessarily rely on a review of the plan as a means of handling uncertainty'. In our view the CS is unsound on this basis.
- 1.18 The above could be overcome by a CS policy that sets out the vision and objectives for the BXC area in terms of strategic growth targets and sets out a commitment to review the existing SPG with the intention of providing an updated vehicle to guide development in the area and confirm the standards to be applied.

Question 2: Should the Parcelforce Depot site on Edgware Road be included in Table 2 of the CS? If not, why not?

- 1.19 It is assumed that this issue is derived from the representations made on behalf of A2D by Indigo Planning. In this respect it is noted that the Council's response to the representation was that the Site Allocations DPD is the appropriate document to bring forward the site.
- 1.20 Table 2 of the CS sets out the Council's housing growth, estimating the delivery of 28,000 homes in the period to 2026. Further to our representations to Matter 2, in our view as drafted Policy CS4 to which Table 2 relates, is not in general conformity with the London Plan 2011 on the basis that it does not identify the correct strategic housing target of 33,825 units to 2026 (based on the 10 year target to 2021, with the annual target rolled forward to reflect the 15 year CS plan period). Moreover it does not identify this as a target that should be achieved and exceed as per London Plan 2011 Policy 3.3. There is therefore a need for the CS to plan for a greater level of housing growth.
- 1.21 Notwithstanding our position above, with regard to Table 2 line 6 Priority Housing Estates, this identifies no completions from Brent Cross / Cricklewood for the period 2011-2016 with 1800 units 2016-2021 and 3300 units from 2021-2026 (a total of 5100 from this opportunity area within the CS plan period). The Council identified in its response to the Inspector's questions that the units to be delivered from this area by 2026 are derived from the hybrid planning permission of 28 October 2010. The figures for Brent Cross / Cricklewood do not provide for any other supply from the Opportunity Area other than from the planning permission.
- 1.22 The planning permission provides for circa 7,550 new homes. On the basis that the London Plan Opportunity Area designation provides for in excess of 10,000 new homes, the CS and housing trajectory should be looking beyond the existing planning permission to ensure that the growth envisaged by the designation is met.
- 1.23 The Geron Way site is identified in the SPG as a Development Opportunity Area (Figure 16, page 27) and appropriate for mixed use comprising residential and business (Figure 29, page 29). The site is also the subject of an extant planning application with the Council for determination. The application documentation demonstrates that the site is available, suitable and achievable and therefore meets

the provisions of PPS3 to be deliverable (para 54). The site can therefore contribute to the Council's 5 year housing land supply.

- 1.24 PPS12 identifies that it is appropriate for a Core Strategy to allocate strategic sites that are considered to be central to the achievement of the strategy (paragraph 4.6). The site itself is not central to the achievement of the CS and should not be allocated. However this does not preclude it being identified as a potential source of housing within the Opportunity Area.
- 1.25 The purpose of Table 2 is to set out a breakdown of future housing land supply, with para 7.2.10 stating that 'most of major housing development in Barnet for the next 15 year period is either already planned, pipeline approved or granted planning permission'. The table is not therefore solely comprised of sites with planning permission. Indeed, it identifies a high reliance on windfall sites contrary to the provisions of PPS3 (Para 59).
- 1.26 We therefore see no reason why Table 2 cannot identify housing supply from the above site in the period 2011-2016.

Question 3. Does the Infrastructure Delivery Plan correctly identify the timeline for the delivery of the infrastructure in the BXC Area?

- 1.27 PPS12 identifies at paragraph 4.8 that a CS should be supported by evidence of what physical, social and green infrastructure is needed to enable the amount of development proposed for the area, taking into account its type and distribution.
- 1.28 In our view, the IDP should identify the growth planned for in the CS and identify the critical path issues informed by both quantitative phasing (the number of units) and spatial phasing (where the units are to be located). It should identify what infrastructure is required in what area and by when. In short, critical path issues and triggers for the planned growth.
- 1.29 Whilst the prepared Infrastructure Delivery Plan identifies infrastructure, its broad geographical location and time period for delivery, the use of 'critical', 'necessary' and 'preferred' is artificial. It is not clear what the 'show stoppers' are in terms of quantitative or spatial phasing.
- 1.30 In terms of the timeline for delivery within the BXC area, the Geron Way site is not reliant on any programmed infrastructure delivery to facilitate the release of the site or units. Nor is it reliant on the delivery of the wider BXC planning permission in terms of infrastructure to be provided by the permission either directly or indirectly. It is for the BXC Partners to comment in terms of whether the IDP correctly identifies the timeline of infrastructure associated with the delivery of their scheme.