

London Borough of Barnet Local Plan – Examination

Inspectors' Matters, Issues and Questions for Hearing Sessions - Autumn 2022

Matter 11: Delivering the identified requirements over the Plan period

Issue:

Whether the Plan approach towards the identification and supply of land and anticipated delivery of development is positively prepared, justified, effective, consistent with national policy and in general conformity with the London Plan, so as to ensure the timely delivery of the identified requirements for the Borough?

Questions:

Housing Land

- 1) What is the estimated remaining total supply in the Plan period?

The Council refers to the update to Table 5 in the Strategic Sites Delivery Paper (EXAM 9) showing New Homes Delivery – 2021/22 to 2035/36. This shows that the Plan has capacity to deliver 44,500 new homes by 2035/36.

- 2) What is the estimated total supply in the Plan period from:
 - a) Completions
 - b) Existing planning permissions (subdivided as full, outline, etc)
 - c) Other commitments (e.g. sites subject to the completion of planning obligations)
 - d) Windfalls
 - e) Existing or proposed site allocations

The Council refers to the updated Sites Trajectory (EXAM 10) with regards to 2b to 2e.

With regards to completions for 2021/22 the Council awaits confirmation from the GLA's London DataHub. This completions figure will be the basis for assessment through the Housing Delivery Test 2022. The Council is reliant on the London DataHub for accurately monitoring planning permissions, starts and completions.

- 3) What informed the assumptions about the scale and timing of supply in relation to build-out rates and lead-in times from these various sources? Are these realistic and based upon up-to-date evidence?

The Council's most recent assumptions about housing delivery are set out in the HDAP (EB_H_10) published in December 2021. The Council acknowledges that these expectations will be impacted by global events in 2022 (ie war in Ukraine and the cost of living crisis).

- 4) Is the most up-to-date version of the housing trajectory in the Plan realistic? Is there sufficient evidence to demonstrate a sufficient supply of deliverable sites (in years 1 to 5) and developable sites (in years 6 to 15) to ensure that the Plan's housing requirement for the Borough would be met?

Yes. The Housing Trajectory (EXAM 10), published In August 2022, represents a realistic timescale for development over the next 15 years, reflecting extensive knowledge on development activity and expectations on proposal sites timeframes. This is also set out in the Strategic Sites Delivery Technical Paper (EXAM9).

The Council is able to meet in full its objectively assessed identified housing need and is able to demonstrate a five-year housing land supply of deliverable sites. The Council recently defended its position on the 5 Year Supply at the Barnet House Planning Appeal (Appeal Ref: APP/N5090/W/21/3289161).

- 5) Would the Plan realistically provide for a 5-year supply of specific deliverable sites on adoption? Has the Council provided clear evidence that dwellings will be completed on sites of 10 or more dwellings with outline planning permission, sites with a grant of planning permission in principle and/or allocations without planning permission, within the 5-year period?

Yes, upon adoption the Plan will provide for a 5 year supply of specific deliverable sites. The Strategic Sites Delivery Technical Paper (EXAM 9) provides clear evidence of delivery.

The Council highlights that the 5 year supply of housing sites has been subject to recent scrutiny through appeals under Section 78 of the Town and Country Planning Act. In 2021 there were 2 planning appeals that considered Barnet's housing land supply: at 679 High Road, North Finchley (APP/N5090/W/21/3271077) and at Land adjoining The Whalebones, Wood Street (APP/N5090/W/21/3273189). In 2022 there were 2 further planning appeals for Barnet House (APP/N5090/W/21/3289161) and Land formerly known as British Gas Works, New Barnet (APP/N5090/W/22/3294689).

- ***679 High Road – (EB_SDG_05) while the appeal did not find that the Council was able to demonstrate a 5 year housing land supply, the Inspector provided a detailed assessment of the likelihood of sites to come forward in***

the 5 year timeframe. For those sites identified by the Inspector as part of the 5 year supply this provides good evidence for those sites being deliverable. Those sites considered by the Inspector to provide insufficient evidence of being deliverable within the 5 year timeframe were moved back into the 6 to 15 year timeframe. The appeal was dismissed.

- Land adjoining the Whalebones – (EB_SDG_04) the Inspector did not find that the Council was able to demonstrate a 5 year housing land supply. He was mindful of the appellants claim that the Council could only demonstrate a 4 year housing supply. However, he considered that some perspective also had to be applied to the matter of housing supply as a public benefit. The appeal was dismissed.***
- Barnet House – (EB_SDG_06) para 67 of the Inspector’s decision letter sets out that the Council considers that it has a housing land supply of 6.5 years, the appellant 4.65 years. According to the appellant’s case, the supply is 890 dwellings short of a five year supply. The Inspector, at para 98 of the decision letter, in allowing the appeal, found that as the proposal accords with the development plan as a whole he did not need to consider the disputed housing land supply issue further. The appeal was allowed.***
- Land formerly known as British Gas Works, New Barnet – (EB_SDG_07) the Inspector did not consider the housing land supply as a main issue. The appeal was dismissed.***

6) Is there any clear evidence that sites within the supply should not be considered deliverable within 5-years?

No. As highlighted above the 5 year land supply has been subject to recent scrutiny at appeal. The Council has revised the Housing Trajectory (EXAM 10) (and thereby the 5 year land supply (Core_Gen_29) has been updated) as an outcome of the Barnet House appeal.

7) Is there reasonable confidence that a 5-year supply would be maintained throughout the Plan period? If not, how could this be achieved?

Yes. In normal economic circumstances there is reasonable confidence that a 5 year land supply would be maintained throughout the Plan period. The Council refers to its response at Matter 10 Q6 in terms of expectations of housing delivery.

8) Is there any evidence that the supply of housing includes sites which should not be considered developable during the Plan period?

No. The Strategic Sites Delivery Technical Paper (EXAM 9) demonstrates that all proposals sites that contribute to the supply of housing are considered developable during the Local Plan period up until 2036.

- 9) Is there a sufficient range and choice of sites allocated in the Plan in terms of location, type and size, to provide adequate flexibility to meet the housing requirement for the Borough in the Plan? Would the housing allocations ensure that the Plan would be consistent with the Framework, in so far as it seeks to boost significantly the supply of housing?

Yes. The Council considers that there is a sufficient range and choice of sites allocated in the Plan. The Local Plan has identified 14 small site proposals (ranging from 0.06 ha to 0.25 ha in size) within Annex 1 as part of an overall proportionate approach. Combined these Local Plan sites will deliver 301 new homes over the next 15 years. The Housing Technical Paper (EXAM 1B) has set out, in detail, the Local Plan's approach to small sites and how it is addressing the requirements of London Plan policy H2 – Small sites.

- 10) Is there any evidence of previous allocations or planning permissions not being brought forward or delivered in a timely manner so as to justify a lapse rate to be applied to the housing trajectory?

The Council takes a pragmatic approach to producing and regularly updating the Housing Trajectory. This is based on an extensive knowledge base of development activity within the Borough. The Council refers to its proactive approach to housing delivery as outlined in its response to Matter 12 Q1. An arbitrary lapse rate or algorithm is not considered helpful.

- 11) Is the expected contribution to housing land supply from windfalls realistic and justified by evidence?

Yes. Windfall is based on small sites only and reflects historic delivery from small sites. Historically the Council has not utilised a large sites windfall projection. The Council refers to the 5 Year Supply Paper (Core_Gen_29) which states at para 3.1 that minors are represented by an analysis of ten years of past completions for development between 1 and 9 units. The average delivery equates to a figure of 342 units per annum.

- 12) What contingencies are in place should housing delivery fall below expectations within the sites in strategic policies (Policies BSS01 and GSS01 to GSS13) and the proposed allocation of sites listed in Annex 1 of the Plan? Would it be necessary to consider other areas for development?

As highlighted above, Barnet has a good track record for delivering housing numbers against challenging targets. The Borough remains an attractive place for

people to live and for development investment. This is not expected to change in the short term. However, it is expected that external factors, beyond the direct control of a local planning authority, will impact on housing delivery. The Council will consider the evidence of under delivery by housebuilders, as part of a national and Londonwide problem, through the Local Plan review process.

- 13) In overall terms, would the Plan realistically deliver the dwellings required in the Borough over the Plan period?

Yes. The Council is confident that it can realistically deliver homes against the London Plan's housing targets.

Land for Employment, Retail and Leisure

- 14) Is there a suitable range and choice of employment locations, town centres and proposed allocations, in terms of type, quality and size, to address the particular characteristics, roles and functions of areas of the Borough and to meet the requirements for employment growth (more than 27,000 new jobs in Policy GSS01) and associated requirements for employment floorspace and main town centre uses in the Plan?

Yes. Although the majority of projected jobs will be delivered in the employment space being created in Brent Cross Growth Area, development in town centres and the employment areas will also contribute to providing additional commercial space and job opportunities across the rest of the Borough. As explained in the Council's response to Matter 4, no employment space or job numbers targets are stipulated for the Council to achieve by the NPPF [Core_Gen_33] or the London Plan [Core_Gen_16]. The Local Plan's approach is to ensure no net loss of employment land with additional space created in appropriate locations. This approach is supported by Tables 13.3 and para 15.1 of the London Industrial Land Demand Study (LILDS) [EB_E_06] and Table 68 of the West London Employment Land Review (WLELR) [EB_E_09]. Both the LILDS and the WLELR show that over the plan period Barnet would need a moderate gain in industrial land to meet demand. It is not a requirement of the NPPF or the London Plan that Barnet identify where this gain should occur. However, by having policies that encourage retention of employment land and economic growth in the Borough the policies are compliant with the intent of the NPPF and London Plan.

- 15) What land supply remains available within existing employment areas and town centres and what contribution can they make relative to identified needs? Is there any evidence of long-term vacancy of land and premises?

There is no current evidence of long-term vacancies on these sites although the COVID-19 pandemic has impacted on local businesses and vacancies can therefore be expected. Overtime the LSIS have previously experienced

redevelopment of the land for industrial uses. Other places that are non-designated industrial sites have also the potential to be redeveloped for industrial uses. The London Plan [Core_Gen_16] Policy E7 encourages London Planning Authorities to be proactive in allowing for the intensification of employment uses with the use of higher plot ratios on employment land this is included in Policy ECY01.

