

Report for: Cabinet

Date of Meeting:	17 th June 2021
Subject:	Edgware Growth Area Supplementary Planning Document – consultation outcomes and amended version for adoption
Key Decision:	Yes - affects more than one ward (Edgware & Canons)
Responsible Officer:	Mark Billington, Acting Corporate Director, Community
Portfolio Holder:	Cllr Graham Henson, Leader of the Council, and Strategy, Regeneration, Partnerships and Devolution Portfolio Holder
Exempt:	No
Decision subject to Call-in:	Yes
Wards affected:	Edgware and Canons
Enclosures:	Appendix 1 – Consultation Statement Appendix 2 – Schedule of Representations and Responses Appendix 3 – Edgware Growth Area Supplementary Planning Document – amended version for adoption

Section 1 – Summary and Recommendations

This report documents the outcomes of consultation on the draft Supplementary Planning Document (SPD) for the Edgware Growth Area (11th January 2021 to 22nd February 2021), a joint document between the London Borough of Barnet (as lead borough / author) and the London Borough of Harrow. This report outlines the responses from the two Local Planning Authorities to the consultation outcomes, and recommends Cabinet that adopts the SPD, subject to a number of amendments in response to the outcomes of the consultation.

The purpose of the SPD is to set out expectations for the Edgware Town Centre, in terms of regeneration and development, such as improvements to public realm, night-time economy and leisure, highways, and the provision of new housing and infrastructure. Its content provides detail to policies in the London Plan, and Barnet and Harrow Local Plans.

Recommendations:

Cabinet is requested to:

1. Note the representations received in response to the consultation on the draft SPD and the Councils' responses to these set out in Appendix 2.
2. Adopt the revised Edgware Growth Area SPD attached at Appendix 3, which responds to the consultations responses received.
3. Delegate authority to the Interim Chief Planning Officer, in consultation with the Leader of the Council, and Strategy, Regeneration, Partnerships and Devolution Portfolio Holder to consider and agree to any necessary further amendments to the amended document arising as a result of Barnet Council's formal consideration of the amended document.
4. Delegate authority to the Interim Chief Planning Officer following consultation with the Leader of the Council, and Strategy, Regeneration, Partnerships and Devolution Portfolio Holder, to make typographical corrections and any other necessary non-material amendments to the Edgware Growth Area SPD prior to formal publication of the SPD.
5. Delegate authority to the Interim Chief Planning Officer, in consultation with the Leader of the Council, and Strategy, Regeneration, Partnerships and Devolution Portfolio Holder to undertake any necessary statutory actions required for the formal adoption of the document.

Reason: (For recommendations)

To amend the document where appropriate to reflect the outcomes of the consultation process and to formally adopt the SPD to ensure that it is afforded weight as a material planning consideration guiding development for Edgware Town Centre.

Section 2 – Report

Introduction

- 2.1 Edgware Town Centre is located across both the administrative boundaries of London Borough of Barnet and London Borough of Harrow, with the majority of the designated area within the London Borough of Barnet. Edgware Town Centre is detailed within the London Plan 2021 as a Major Centre. A Major Centre generally contains over 50,000sqm of retail, leisure and service floorspace with a relatively high proportion of comparison goods relative to convenience goods. They may also have a significant employment, leisure, service and civic functions.
- 2.2 In recognition of the regeneration potential of the Edgware Town Centre, and its highly sustainable location, London Borough of Barnet bid to the Mayor of London, through the Homebuilding Capacity Fund, to bring forward a SPD which among other things, would proactively assist in the delivery of housing. Notwithstanding the ambition to deliver housing within the Edgware Town Centre to help meet the new London Plan's increased housing targets for both Barnet and Harrow, the SPD would also ensure that optimum use of the sites would be achieved, and deliver improvements across the town centre for the residents within and surrounding Edgware Town Centre.
- 2.3 Although it is classified as a Major Town Centre, Edgware has experienced a significant loss of major comparison goods retailers in recent years. The overall town centre and retail experience has declined. The main street, Station Road, is often very congested with vehicles; a situation exacerbated by the bus station access being situated in the heart of the centre, leading to conflict with pedestrians and increased levels of noise, pollution and congestion. Whitchurch Lane has become very run-down.
- 2.4 In recent years changes to retail the retail sector have seen falling demand on high streets around the country, and Edgware has not been immune to this trend, for example with Marks and Spencer closing in the Broadwalk Centre in 2018. With the town centre mainly focused on retail, Edgware is currently lacking the cultural and entertainment options to draw visitors to the town centre. While there are a number of community services and facilities in the centre, in many cases these are not well-integrated to the urban fabric. Edgware also suffers from poor public realm and there is a lack of shared community space such as a town square, or small park/s. Furthermore, anti-social behaviour on the town centre streets has also become an issue that is detrimental to Edgware as a place to visit.
- 2.5 Edgware has a key role in supporting growth requirements. To achieve significantly higher housing targets, both Barnet and Harrow need to deliver housing at high densities in suitable locations that have high levels of public transport accessibility (PTAL), and where the urban context is appropriate for medium-rise and tall buildings. The SPD provides an opportunity for Edgware to reinvent itself, particularly through an improved leisure and cultural offering, along with improved public realm and more sustainable, integrated transport.

- 2.6 To achieve these aims, the (SPD) will provide Edgware town centre with more detailed planning guidance than in the either Local Plan (LB Barnet's or LB Harrow's), along with additional supporting evidence base.
- 2.7 The SPD does not (cannot) introduce new policy, rather it provides guidance to adopted policy(ies). Within Harrow, the Edgware Town Centre (and SPD area) is located within the Edgware & Burnt Oak Sub Area, as set out in the Harrow Core Strategy (2012). Specifically, Core Strategy Policy CS8 sets out a number of policies (CS8A/C/D/H/I) that all promote appropriate development within the scope of the SPD area. These policies provide the basis on which the SPD may be brought forward, and therefore, the SPD will assist in giving effect to, and delivering against these policies within the area.

Consultation on the draft Edgware Town Centre SPD

- 3.0 The preparation of the Edgware Growth Area SPD has been led primarily by London Borough of Barnet, who are the principal author of the document as the majority of the town centre area and largest landholdings / potential development sites fall within Barnet. Furthermore, London Borough of Barnet were the successful bidder in obtaining grant funding for the project from the Greater London Authority.
- 3.1 Cabinet considered the draft SPD at its meeting of 17th December 2020 and gave authority for public consultation.
- 3.2 Due to the COVID19 global pandemic a minor amendment to the Harrow Statement of Community Involvement was made by the Portfolio Holder for Regeneration, Planning and Enterprise (under delegated authority) to reflect that Covid-19 may mean that not all the traditional avenues for consultation will be possible due to social distancing requirements. Specifically, face to face meetings and public meetings were unable to be held. In this context, the following consultation steps were undertaken;
- Emails sent to consultees on the Local Plan database, who have indicated they are interested in Planning Policy consultations;
 - A total of 23,000 Flyers sent to all properties within 1km of the SPD boundary
 - Two online public presentations that included snap polls / question and answer session – 28th January 2021 (6pm – 7.30pm) and 10th February 2021 (6pm – 7pm);
 - Cross borough Ward Councillor Workshop – 18th February 2021
 - Young people's event (x3) – 18th February 2021
 - Documents available on the Harrow (and Barnet) Council website
 - Harrow Press notice (21st January 2021)
- 3.3 The Council does not normally write to individual adjoining / nearby properties on strategic documents such as SPDs - this happens when a Planning Application for a development is submitted to the Council. This is because the contents of an SPD or Local Plan document can cover or affect a very large proportion of the Borough, making identifying and

writing to every property that could be considered as being affected disproportionately resource intensive. However, in this instance given the area-based nature of the SPD (rather than a specific issue / policy), letters were sent to all properties within the SPD area, and also within a 1km radius of it – both within LB Harrow and LB Barnet

- 3.4 The actions outlined above met and exceeded the statutory requirements for consultation on a draft SPD.
- 3.5 Given the timeframes and joint-borough coordination associated with the preparation of the document and joint approval processes, it has not been practical to formally present to the Planning Policy Working Group (PPWG). However, and as noted above, Ward Councillors were provided a number of workshops and presentations throughout the pre-consultation and formal consultation process.

Consultations Outcomes

- 3.6 As a result of the consultation arrangements outlined above, there were a total of **77** email responses to the consultation, and **142** completed online questionnaires. With regard to the two online consultation sessions a total of **155** participants took part. In comparison with previous consultations on SPDs and in the context of the Covid-19 pandemic, this level of response / engagement was considered positive.
- 3.7 The substantive points raised in the responses are detailed, alongside the Councils' responses, in the Schedule of Representations and Responses at Appendix 2 to this report. The main issues raised and proposed responses are summarised below.
- Additional reference to the strategic context of the London Plan supporting Edgware Town Centre as a sustainable location for intensification.
 - Update to the Broadwalk Centre and Station design guidance in Chapter 5 to add clarity and ensure sufficient flexibility.
 - While numerous local residents raised concerns over tall buildings and density, Edgware Town Centre is identified as a tall building location (within the Barnet part of the centre)¹, with the SPD requiring that the design must be of excellent design and demonstrate an appropriate relationship with other town centre buildings and the surrounding low-rise suburbs. The scope for tall buildings within the Harrow part of the centre is limited by its surrounding context and this is reflected in the SPD.
 - Transport and movement updates as raised by TfL, including additional references to a Healthy Streets Approach and the ongoing need for the London Underground rail infrastructure to support operations.

¹ Barnet Core Strategy 2012, Policy CS5

- Concern by local residents over loss of car parking – the provision of car parking for town centre uses is expected to continue and should be based on evidence of need.
- More references to managing flood risk and environmental improvements.
- Strengthen references to tackling climate change
- Increased references to heritage assets in the area.
- Local residents raised concerns over pressure on community facilities due to the rising population – strengthened the text in response.
- Should make specific reference to requiring active design (Sport England)
- Public safety – more detail of the Security by Design approach.
- Public health – requirement to meet the PHE guidance document.
- Young people concerns – making the town centre more appealing to visit; more local jobs suitable for young people.

Ward Councillors' comments

3.8 Virtual consultation events were held for both Barnet and Harrow Ward Councillors with regard to the developing SPD as set out above. Comments received have been taken into consideration in the drafting of the SPD to date. Comments received from Ward Councillors are included within the Schedule of Representations and Responses attached as Appendix 2.

4. Proposed amendments

- 4.1 In light of the representations received and the Council's response to them (summarised in section 3 above and detailed in Appendix 1 and 2), the following are key issues raised and officer responses to them.
- a) Requested further reference to the strategic context of the London Plan supporting Edgware Town Centre as a sustainable location for intensification (Savills on behalf of Ballymore & TfL)
Included additional reference to the strategic context of the London Plan and Good Growth in Chapter 1.
 - b) Concern that design guidance for the Broadwalk Centre and tube station is too restrictive (Savills on behalf of Ballymore and TfL)
Update the design guidance in Chapter 5 to add clarity and ensure sufficient flexibility

- c) Concerns raised over tall buildings and increasing density negatively impacting the character and amenity of Edgware Town Centre (raised by local residents)
Edgware Town Centre is identified as a tall building location within the Barnet Local Plan. However, is not identified as such within the Harrow Local Plan. The SPD does not specify building heights nor given the design principles, is anything of substantial height likely to occur within the Harrow side.
- d) Transport and movement issues including further references to the Healthy Streets Approach, expectation of increased bus usage, and the need to maintain London Underground rail infrastructure (TfL).
Added references to a Healthy Streets Approach, consideration of bus priority, and the ongoing need for the London Underground rail infrastructure to support operations.
- e) Concerns by loss of car parking and the impact on peoples ability to access the town centre (local residents)
Some provision of car parking for town centre uses is expected to continue but should be based on evidence of need
- f) Provide more references to managing flood risk and environmental improvements (Environment Agency)
Added references to managing flood risk and environmental improvements, including in the Objectives and Development Principles
- g) Strengthen references to tackling climate change (Environment Agency)
More reference to climate change in the Context chapter and the Development Principles
- h) Additional and improved references to heritage assets in the area (Historic England, Historic England Archaeology, residents).
Further reference to heritage assets in the area including archaeology, the opportunities to make better use of heritage assets, and the need to consider context.
- i) Concerns over pressure on community facilities due to the rising population (local residents)
Strengthen the text on community facilities
- j) Should make specific reference to requiring active design (Sport England)
Reference Active Design Principle and the Active Design Checklist for development to support health and wellbeing
- k) Strengthen references to public safety and Security by Design (Met Police – Designing Out Crime Officer)
Provided more detail on the Security by Design approach in the Development Principles
- l) Requirement to meet the PHE guidance document (Public Health)

Added reference to meeting the PHE document

m) Young person concerns – Edgware Town Centre does not provide a good offer to young people; need more access to suitable local jobs.
Reference the need to making the town centre more appealing to visit for young people. Importance for local jobs for students and young people.

4.2 Prior to final publication, the SPD will be subject to desktop publishing to improve its legibility. It should be noted that some additional, or minor, modifications to the SPD have also been made. These are minor changes that have been made to provide clarity, improve grammar, spelling corrections and factual changes where needed (for example, the document no longer being in draft form, final publication of the London Plan in March 2021).

5.0 Options Considered

5.1 There is one alternative option to the adoption of an SPD which is to do nothing (i.e. not to adopt the amended SPD). If the 'do-nothing' option was pursued Council officers, the Planning Committee and in certain cases, Planning Inspectors, would continue to exercise judgement when making decisions on specific proposals that developers put forward, but without the guidance the SPD would provide. However, such an approach without this overall agreed framework for future development within Edgware Town Centre may give rise to greater uncertainty for both developers and also the public, and longer decision making.

5.2 The absence of a SPD would not allow for the more strategic consideration of the Edgware Town Centre as a whole, including giving guidance on key land use principles, scale of development, approach to public realm, transportation infrastructure and landscaping. Specifically, without an agreed framework as set out in the SPD, there would not be a consistent and coherent approach across both boroughs. The comments received as part of the consultation and the proposed amendments to the SPD, will still ensure that the objectives for undertaking the SPD would be achieved.

Performance Issues

5.3 The London Borough of Harrow's adopted Core Strategy contains a detailed schedule of monitoring indicators, with associated targets, triggers and contingency actions, to ensure that the delivery of Harrow's spatial vision remains on track (and if necessary, brought back on track) throughout the plan period (2009-2026). These indicators are monitored through the continuing publication of the Authority's Monitoring Report (AMR).

5.4 The purpose of the proposed SPD is to assist Harrow (& LB Barnet) in firstly meeting the delivery of housing that is set for each of the boroughs within the London Plan (2021). Furthermore, it will also seek to enhance the town centre offer for residents, whereby ensuring the vitality and

vibrancy of the centre. This must be achieved whilst ensuring the preservation of a number of heritage assets within the SPD area. Again, there are a number of targets within the AMR that relate to these matters. These indicators will therefore be used to monitor the impact of this SPD.

Environmental Implications

- 5.5 Sustainability appraisals for supplementary planning documents are only required in exceptional circumstances, but the Council must still consider whether there is a requirement for strategic environmental assessment (SEA). The proposed SPD does not (cannot) introduce new policy but simply supplements / guides new development within the designated town centre (and wider) and adopted town centre policies within the Local Plan.
- 5.6 LB Barnet as the lead author of the SPD, has undertaken a Sustainability Appraisal Scoping Report, which seeks to determine the scope and level of detail of the information to be included in the sustainability appraisal report. This document has been produced as Barnet's Core Strategy policies (2012) were not subjected to a SA. A SA is therefore required for this SPD to test how well the planning document considers the social, environmental and economic issues in order to achieve sustainable development.
- 5.7 The Harrow Core Strategy (2012) and the policies contained within it were subject to a Sustainability Appraisal. However, given that the SPD would span both the Barnet and Harrow, a Sustainability Appraisal Scoping Report is required.

Data Protection Implications

Consultation was undertaken in a manner that complies with the relevant requirements of the General Data Protection Requirements, including the collection, processing, retention and disposal of personal data of those responding.

Risk Management Implications

Risk included on Directorate risk register? No
 Separate risk register in place? No

The relevant risks contained in the register are attached/summarised below.
n/a

The following key risks should be taken onto account when agreeing the recommendations in this report:

Risk Description	Mitigations	RAG Status
Non-compliance with	▪ Public participation	Green

statutory requirements for the preparation of the SPD	<ul style="list-style-type: none"> ▪ Recognition that the SPD is not new policy ▪ Consultation managed to ensure it complies with statutory requirements 	
Residents and Members not satisfied with the Council's response to key issues raised during the consultation	<ul style="list-style-type: none"> ▪ Consultation feedback addressed and amendments made to SPD to address appropriate comments received. Proposed amendments discussed with ward members. ▪ Main issues and responses set out in Section 3 above ▪ Full consultation response and amended SPD detailing the changes as a result of the consultation feedback shown in Appendix 1 and 2 	Green
Consultation process inadequate due to Covid-19 restrictions (unable to undertake face to face and public meetings)	<ul style="list-style-type: none"> ▪ The consultation undertaken, including two on-line public presentations meeting and exceeded the statutory requirements for consultation on a draft SPD. 	Green

5.8 As noted above, public participation is one of the statutory requirements for the preparation of an SPD, and both the Regulations and the NPPF are clear about the secondary (non-development plan) role of SPDs. The amended SPD the subject of this report has been prepared recognising that it cannot introduce new policy or add to the burden upon development. Officers managed the consultation and adoption of the SPD to ensure that it complies with statutory requirements for the preparation of the SPD. Proper application of the SPD to relevant proposals should significantly reduce the chance of any appeals being submitted.

5.9 In developing an SPD jointly with LB Barnet, the risk at this stage of the process is in relation to the feedback received through the consultation process. Section 3 above sets out the consultation that was undertaken, with main issues and responses set out in Section 4. Attached as Appendix 2 and 3 respectively is the full consultation response and amended SPD detailing the changes as a result of the consultation feedback.

5.10 The consultation feedback as set out above, and the proposed amendments to the SPD are considered to address where appropriate comments received. Furthermore, the proposed changes to the SPD are considered to ensure that the document would continue to deliver against Harrow Council's priorities and the intent of the GLA homebuilding capacity funding.

Procurement Implications

5.11 The SPD is funded by the Mayor of London's Homebuilding Capacity Fund, which was successfully secured by LB Barnet. By reason of part of the designated Edgware Town Centre being located within Harrow, the SPD is being brought forward jointly, with Barnet leading on its preparation. Any external consultancy support for specialist studies (i.e. transport) has been procured by Barnet. Consequently, it is considered that there are limited procurement implications for Harrow as a result of the project nor this Cabinet report.

Legal Implications

5.12 Section 38(6) of the Planning and Compulsory Purchase Act (2004) states that, if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise.

5.13 Although the proposed SPD is not a development plan document it will, on adoption, be a material consideration in the determination of proposals for development within the Edgware Town Centre and the defined SPD area (as delineated by the red line boundary).

5.14 The Council is required by law to consult on the SPD and to take into account all consultation responses received before adopting the SPD. As soon as reasonably practicable after adopting an SPD, the Council must (i) make available the SPD and an adoption statement and (ii) send a copy of the adoption statement to any person who asked to be notified of the adoption of the SPD.

Financial Implications

5.15 The cost of preparing the SPD is funded by the Mayor of London's Homebuilding Capacity Fund, which was successfully secured by LB Barnet. By reason of part of the designated Edgware Town Centre being located within Harrow, the SPD is being brought forward jointly. Barnet is leading on the preparation of the SPD with Harrow providing input to Barnet to progress the process, including reviewing the accompanying evidence base work that informs the draft SPD, the draft SPD itself, participating in stakeholder engagement (members, residents), and then undertaking the relevant internal governance required. By reason of this, part of the successful bid was on the basis that a funding of £17,500 was provided from Barnet to Harrow to cover the cost of Harrow officer time in the process. This funding is considered to broadly reflect required officer input / consultation costs. Failure to adopt the amended SPD would

however most likely result in the grant funding having to be repaid to the GLA.

Equalities implications / Public Sector Equality Duty

5.16 By definition, supplementary planning documents cannot introduce new policies nor modify adopted policies and do not form a part of the development plan. Rather, their role is to supplement a 'parent' policy in a development plan document. The amended SPD the subject of this report supplements adopted policies within The Core Strategy and Local Policies Plan. A full equalities impact assessment was carried out at each formal stage in the preparation of the Core Strategy.

Council Priorities

5.17 The Cabinet Report of 17th December 2020 sought authority to consult on the draft Edgware Town Centre Supplementary Planning Document, which set out how the draft SPD would achieve the council priorities. This report was subsequently agreed by Cabinet.

5.18 The draft SPD has now been through the formal consultation process, with feedback now collated and considered. Where appropriate, the draft SPD has been amended to positively respond to the consultation feedback. However, officers consider that the amendments, whilst where appropriate provide a response to the consultation received, they nonetheless ensure that the original purpose of the SPD would still be achieved. Furthermore, officers also consider that by achieving this, the amended SPD would continue to achieve the Council priorities as set out and agreed within the previous Cabinet Report.

5.19 By reason of the above, this current Cabinet Report for the authority to adopt the amended SPD as detailed above, does not re-provide the appraisal against the Council priorities.

Section 3 - Statutory Officer Clearance

Statutory Officer: Jessie Man

Signed on behalf of the Chief Financial Officer

Date: 28th May 2021

Statutory Officer: Patrick Kelly

Signed on behalf of the Monitoring Officer

Date: 28th May 2021

Statutory Officer: Lisa Taylor

Signed on behalf of the Head of Procurement

Date: 27th May 2021

Statutory Officer: Mark Billington

Signed by the Acting Corporate Director

Date: 2nd June 2021

Statutory Officer: Susan Dixon

Signed by the Head of Internal Audit

Date: 2nd June 2021

Mandatory Checks

Ward Councillors notified: YES - Canons and Edgware Members

EqlA carried out: NO - Equalities Impact Assessment carried by LB Barnet

EqlA cleared by: n/a

Section 4 - Contact Details and Background Papers

Contact: Callum Sayers, Planning Policy Officer,
callum.sayers@harrow.gov.uk

Background Papers:

- Edgware Supplementary Planning Document: Equality Impact Assessment (June 2021)
- Edgware Supplementary Planning Document: Sustainability Appraisal (June 2021)
- Harrow Core Strategy (2012)

Call-in waived by the Chair of Overview and Scrutiny Committee

NO