

Closing Speech – Rule 6 party

Planning Inspectorate Inquiry ref APP/N5090/V/22/3307073

London Borough of Barnet Application ref 20/3564/OUT

Broadway Retail Park, Cricklewood Lane, London NW2 1ES, commonly known as “the B&Q site”

Rule 6 party - Residents Associations

NorthWestTwo Residents Association

Cricklewood Railway Terraces Residents Association

Mapesbury Residents Association

The Groves Residents Association

Golders Green Estate Residents Association

1. "This is a terrible proposal from a developer who has had no regard for local concerns." It "is loathed". It is "a massive overdevelopment". It is "gargantuan". That's quoting a local councillor, the local MP and a council officer, but we agree wholeheartedly and the last few days have not alleviated our concerns. Still, it would be tedious to simply recap our various statements and proofs and thousands of objections; you have those already. We'll try to stay focused on the last few days and be brief.
2. The site sits diagonally across the road from a very special little conservation area that's inspired an outstanding sense of community. We've heard, for the applicant, that it won't be harmful to the conservation area, or at least not technically speaking within the terminology of policies. The entire dense range of blocks up to 18 storeys high would confront you from the south end of the conservation area, you'd see the blocks protruding starkly over the rooftops and chimneys, from the gardens, even more so from the windows, yet more directly from the little allotments and the homes on that side of the conservation area, but we're told that's all acceptable and the development will make the area even more special. We cannot accept any of that as reasonable or as a plausible forecast.
3. The development won't only intrude on the conservation area. It'll be visible from streets and homes all around, and thoroughly disproportionate to them. It will dominate our town centre. We're told Cricklewood residents, those who live in the conservation area and those who don't, should understand, should have understood, that the area's been designated for regeneration since 2005. Not this site specifically, but the general area including all the residential streets of two-storey homes from Hendon Way across to Cricklewood Broadway, which does make it harder to understand what's intended or enabled. Neither this site nor any the surrounding streets in Cricklewood were identified in any of the maps of 2005 as suitable for development to any height or density or purpose at all.
4. There was a consultation exercise in 2007, but that was for the development of Brent Cross shopping centre plus the area immediately south of it across the North Circular and a tongue of land beside the railway stretching halfway to Cricklewood town centre. It was all about the areas identified and mapped for development to various heights and purposes and densities in that 2005 document. That was what Barnet council now called the Brent Cross Cricklewood Regeneration Area. When a planning application was

launched in 2008 and another one in 2013, they were for the “comprehensive redevelopment of the Brent Cross Cricklewood Regeneration Area” and they did not include the B&Q site, or the Groves or the Railway Terraces or the Vale or the Golders Green Estate or anything else in Cricklewood that had been left unmarked in the 2005 document. But we should have understood, it seems, that “comprehensive redevelopment of the Brent Cross Cricklewood Regeneration Area” doesn’t comprise the complete area. That’s another shoe and it will drop. In the very middle of a low-rise area, a little district town centre, we’ll have buildings multiples of the heights of those around, not just tall but very tall, so close together they’re half in each other’s shadow even in the middle of the day, and that’s fine and within policy. Those shadowed windows might well be the only windows of the flats but that’s a reserved matter, we can’t consider that. The cycle route through the development might be utterly infeasible, undesirable, unwanted and of no public benefit but that’s a reserved matter too – it can be used to promote the development but not to criticise it. Not many people will use the station, the trains won’t fill up, the busy narrow pavements will be fine with thousands more people, the roads are fine for cycling, the buses might come back, Cricklewood residents won’t drive through Cricklewood to another store when this one closes, and so it goes in this best of all possible worlds about which we remain, due to local day-to-day experience and knowledge, so deeply sceptical. Likewise, the Brent Cross Cricklewood Regeneration has taught us this much about outline planning applications, that some promoted features may never even be the substance of reserved matters applications, either never presented or allowed to lapse or be removed.

5. And still the policy arguments go on and go around. We’re told Barnet’s emerging policy on appropriate densities uses inappropriate categories. We think it makes a useful distinction between major highly developed town centres and more humble district centres with their urban and suburban neighbourhoods, but we’re told such distinctions don’t matter now and that for this application there was a design-led approach to determine the optimum capacity. That seems to mean that a plan of cramming 1100 units onto the site was designed and then bargained down by 5%, though it’s not clear how either figure might have been the optimum or which building heights were optimal. Maybe London Plan policy D3 suggests the answer, when it talks of how a “design-led approach requires consideration of design options to determine the most appropriate

form of development that responds to a site's context and capacity for growth", that capacity for growth being determined, if we're not going in circles, by something other than the design-led approach that's responsive to it.

6. Maybe instead the optimum capacity, or at least the determined capacity, is the capacity that compensates for the borough's historic failings, to build enough affordable housing, to build enough housing at all. That's no fault of the residents of the Brent half of Cricklewood or the Camden portion; we have no vote in Barnet, but our town centre's going to be hit by a massively disproportionate development anyway, in order to protect, we're told, Barnet's suburbs. It's not an inherent quality of the site, or its district centre or its urban and suburban area. If the site was in Brent or Camden, if the boundary had been drawn ever so slightly differently, such development wouldn't be appropriate. But because it's in Barnet, down in its remote corner, it's suitable for intensive development.
7. Indeed, we've heard that the indicative site capacity of 1,007 in the regulation 19 draft of the Local Plan must not be changed, whether well-founded or not, because Barnet needs that number to meet its targets. 1,007 wasn't presented as the result of a design-led approach to determine its optimum capacity, in the draft Local Plan or here or at the EIP, nor was the consequent 1,400 capacity of the growth area GSS04. Instead, that version of the emerging Local Plan provides the context of the site, and the neighbouring Bingo site, as central. The neighbouring sites in the growth area at 1-13 Cricklewood Lane and 194-196 Cricklewood Broadway weren't described as central in officers' reports and recommendations on their planning applications, they were described as urban and the densities assessed accordingly. Nothing's changed on the ground, but the designation as central allowed high figures to be derived from the derided density matrix. That increased figure for site 8, once written into the draft, we're told must not be corrected, because a reduction in draft indicative capacity is a loss, and loss is insupportable.
8. It would be less wrongful if a local authority recognised its failings and aimed to take better decisions and achieve better outcomes. An opportunity, of sorts, arose in this case. The Secretary of State called the application in for his decision. Previously the planning committee had had to decide between approval and rejection, with all sorts of constraints and norms applying to them. They'd decided, narrowly, by a casting vote, on

approval. Now they had to choose instead between supporting and opposing the application in their representations to you, sir, and indirectly to the decision-maker who will approve or reject it. Almost unanimously, they agreed to oppose it.

9. This, Mr White has suggested, was a volte-face and worse, it was political, from which it seems we should infer some sort of taint. On the day, that near-unanimous decision, opposed only by the previous chair who had decided the previous vote, did not seem politically charged at all. The charge was all at the previous meeting in 2021, when it was couched in terms of conflict with Barnet's enemy the Mayor of London; the development was terrible but it must be approved for fear of worse from the Mayor, a theme repeated in the local elections. But with fear of the Mayor lifted and a different choice offered, the motion to oppose the application was passed with cross-party support.
10. In any case, we shouldn't go far down the road of saying that politics taints decision-making. For all the technical expertise we've heard from people who may even have written some of these texts, the policies into which we've delved so deeply were ultimately set by our elected representatives and will over time be reviewed and modified under their authority. This has its problems such as that democratic deficit across borough boundaries but as Churchill said, democracy is the worst form of Government except for all those other forms that have been tried from time to time.
11. There are, I think, more than 200 documents in the core documents of this inquiry, many of them policies, many discussions of policy. We have 2,200 objections to the development – or nearly 2,700 in core document CDB.16 –and it's still not enough for some, apparently. It seems we should have had many people taking time off to come up and spend their days trying to listen to technical arguments plunge from document to document and back again. Imagine trying to follow yesterday's evidence and questioning without a ready laptop on the table and sheaves of printouts, and trying to relate to it or feel that it related to or respected you, your life in your neighbourhood and your home. Yet this inquiry, by informing the Secretary of State, does have the capacity to avoid blighting lives and to make them better instead.
12. We're grateful to the Secretary of State for calling this in and giving us fresh hope. We're grateful to you, sir, for allowing the residents associations to come here as a rule 6 party and for tolerating our clumsiness. We're grateful to the council for being on our side of

the table, and to Ms Ellis and all the council team for their great expertise and the strength of their case, and to Mr White too for the courtesy he's shown us. We very much hope that this year we move on from this application and all the time and effort and opportunity that everyone's lost on it, and instead can welcome plans for an appropriate level of housing on the B&Q site in Cricklewood.