

# Barnet Local Plan EIP – Note on Policy CDH03 – Public Realm

## Reason for producing this note

On Day 9 (Wednesday 2<sup>nd</sup> November) at the hearing sessions, during consideration of Matter 8 – Design, Tall Buildings and Heritage, Inspector Philpott raised a number of issues relating to CDH03 (Public Realm). This note, including any resultant proposed modifications, should cover the following matters:

- An opening purpose to clarify that development should contribute positively to public realm.
- Reflect on signposting in CDH01 and CDH03 to healthy streets indicators. Important to ensure that requirements in this respect are consistent as wording slightly different between them. There may be merits in ensuring compliance with policy T2 of London Plan.
- Reflect on CDH03(c) with regards to families and young people. More guidance, potentially in supporting text, required on intentions rather than just “appropriate uses”.
- Clarify for CDH03(d) the justification for expecting proposals to use secured by resilient design tool specifically rather than secured by design more generally. Is the intention already reflected by (b)(iv) of CDH01.
- CDH03(f) – merits in having a reference to London Plan D8H regarding Public London Charter. Council to clarify public realm and design frameworks to be relied upon. Merits in saying “due regard” rather than “accordance with”. Expansion on that, what these strategies and frameworks are, and where they should be found.
- CDH03(g) – clarify what is meant by high quality public art. Consider merits of “consider opportunities to incorporate public art”.
- CDH03(h) – clarify status of Legible London. Not referenced in supporting text. Merits in saying “due regard” rather than consistent with.

## Background

Following submission of the Barnet Local Plan in November 2021 the Council in June 2022 produced a table of proposed modifications (EXAM 4). This document was produced after consideration of the Reg 19 soundness representations received, together with subsequent discussions with various parties on the drafting of Statements of Common Ground. EXAM 4 includes proposed modifications to policies and supporting text pertaining to high quality design.

During the examination hearing session where Matter 8 was discussed, proposed modifications were considered, together with aspects of wording of policy and supporting text in the submission Plan. In light of that discussion, the Inspector has requested further clarification, explanation and justification of the matters detailed in this note; the Council now proposes a series of additional further modifications as set out below.

The following format has been used in this Note to denote further proposed modifications to the submission version of plan as revised by the proposed modifications listed in EXAM 4.

~~Strikethrough text~~ to indicate text proposed for removal.

Underlined text to indicate additional text.

## Considerations

### 1) An opening purpose to clarify that development should contribute positively to public realm.

As noted in the London Plan, the public realm has a significant influence on quality of life, specifically relating to accessibility, sense of place and security for example. It is therefore important that proposals consider the impacts of development and contribute positively to public realm. The Council therefore proposes the following modification to Policy CDH03 to set out an opening purpose:

Public realm should form an integral part of the design process for development proposals to enhance the connection between publicly accessible space and the built environment. Development proposals should therefore contribute positively to the public realm by:

### 2) Reflect on signposting in CDH01 and CDH03 to healthy streets indicators. Important to ensure that requirements in this respect are consistent as wording slightly different between them. There may be merits in ensuring compliance with policy T2 of London Plan.

The Council acknowledges that both policies CDH01 and CDH03 should be clearer with regards to Healthy Streets Indicators. Each have focused specifically on the indicators relating more directly to that policy. London Plan Policy T2 is quite succinct in referring to the application of the Healthy Streets Approach and therefore these elements can be drawn out to help bring consistency in these two Local Plan policies. The Council proposes to highlight the need to have due regard to Policy T2 as well as the 10 Healthy Streets Indicators in Figure 10.2 of the London Plan in modifications to supporting text at paras 6.17.1 and 6.17.3 as well as policies CDH01 and CDH03.

Proposed modification to para 6.17.3 – 1<sup>st</sup> sentence

*The design of public realm can support a shift to active travel, which with the Mayor's Healthy Street Indicators (as set out in Figure 10.2 of the London Plan) should form a key consideration when planning new development and integrated public spaces and networks.*

Proposed modification to CDH03 -

*b) Be designed to meet Healthy Street Indicators (with due regard to London Plan Policy T2), to promote active travel, ~~and discourage~~ reduce car usage, improve street safety and amenity to improve health and reduce inequality. ~~with avoidance of barriers to movement and consideration given to desire lines.~~*

Additionally, CDH01 should also be modified for consistency.

*iii. Ensure attractive, safe and, where appropriate, vibrant streets which are designed in accordance with the Healthy Streets Approach, (with due regard*

to London Plan Policy T2), and active frontages that provide visual interest, particularly at street level to improve street safety and amenity, promote active travel and reduce care use, improve health and reduce inequality.

- 3) Reflect on CDH03(c) with regards to families and young people. More guidance, potentially in supporting text, required on intentions rather than just “appropriate uses”.**

The supporting text sets out to demonstrate the importance of public realm, including the variety of uses and contribution to social wellbeing. The public realm should also provide inclusive space that can be used by all groups of the community, with part c) of the policy referring specifically to families and younger people. Further explanation in the supporting text is proposed at para 6.17.1.

*The public realm is a key aspect of effective design in neighbourhoods and town centres to include all publicly accessible space between buildings. Public realm that is family and young people friendly can also contribute significantly to the health and wellbeing of residents, creating a sense of place that encourages social interaction amongst all age groups. where people will wish to sit, play, relax, meet, and dwell outside compared to other parts of the public realm that are primarily used for movement. Higher levels of comfort should be sought in places that and provides opportunity for activity as well as enabling access to facilities such as public toilets and drinking fountains*

- 4) Clarify for CDH03(d) the justification for expecting proposals to use secured by resilient design tool specifically rather than secured by design more generally. Is the intention already reflected by (b)(iv) of CDH01.**

The public realm is a key aspect of effective design. This includes publicly accessible space between buildings and therefore maintaining safety is a crucial consideration. The reference to the Secured by Design Resilient Design Tool (RDT) was made to help consider the proportionate use of counter terrorism design features for crowded public places. Accordingly,, there is a different intention within this policy to CDH01 (b)(iv). To make this distinction clear, the following amendment is suggested:

*d) Utilise the Secured by Design Resilient Design Tool for places where crowds may congregate in larger numbers, to consider proportionate use of design features to facilitate more robust safety and security measures should an incident occur.*

- 5) CDH03(f) – merits in having a reference to London Plan D8H regarding Public London Charter. Council to clarify public realm and design frameworks to be relied upon. Merits in saying “due regard” rather than “accordance with”. Expansion on that, what these strategies and frameworks are, and where they should be found.**

The Council considers that reference to town centre strategies that are adopted and published is more appropriate than specific reference to public realm and design frameworks as no such frameworks have been published and adopted. The town centre strategies are published online at : <https://www.barnet.gov.uk/regeneration/town-centres>. Supporting text at para 6.17.1 last sentence

*Public realm enhancements should be informed by Historic England's 2018 publication 'Streets for All – London', the Mayor's Healthy Streets Approach as reflected in London Plan Policy T2 – Healthy Streets, and the Public London Charter, and the Council's adopted strategies for town centres and public realm design frameworks.*

Although the Public London Charter is referred to in Policy CDH03(f), it is acknowledged that cross-reference to London Plan Policy D8H would be beneficial. This part of the Policy states that appropriate management and maintenance should be 'in accordance with the Public London Charter', so by referring to the London Plan, the suggested change to CDH03(f) is as follows:

*f) ~~Ensure appropriate management of publicly accessible private space in accordance with the~~ having due regard for London Plan policy D8 – Public Realm, Public London Charter, Council town centre strategies and public realm design frameworks.*

It is also recognised that further clarification in the supporting text could help support this policy in terms of providing further detail on the Public London Charter and the frameworks in the policy. The following text should be added to paragraph 6.17.4:

The Mayor's Public London Charter sets out the rights and responsibilities for users and owners of public spaces, regardless of whether they are public or private. The rules and restrictions on public access and behaviour covering all new or redeveloped public space and its management should have due regard to the Public London Charter, and this requirement should be secured through legal agreement or planning condition. Additionally, there are a number of Town Centre Frameworks in Barnet that identify opportunities to enhance the public realm, setting out development principles and good practice guidance that will be a material consideration for planning applications in the area.

**6) CDH03(g) – clarify what is meant by high quality public art. Consider merits of “consider opportunities to incorporate public art”.**

The emphasis on high quality art was intended to ensure that any incorporation of public art was appropriate as part of the overall design and use of the space. On referring the National Model Design Code, the guidance states that the use of public art should be encouraged; therefore the following update to part g) of the policy is suggested.

*~~g) Incorporate~~ Encourage the use of high quality public art in the design of spaces (where appropriate).*

**7) CDH03(h) – clarify status of Legible London. Not referenced in supporting text. Merits in saying “due regard” rather than consistent with.**

Legible London is a citywide wayfinding system for London, operated by Transport for London. The key guidance for Legible London is TfL's London Streets Toolkit; therefore the Local Plan policy should be updated to reflect this.

*h) ~~Ensure that wayfinding pedestrian signage is sensitively located and consistent~~ with due regard to Transport for London's Streets Toolkit.*

Para 6.17.2 should also be updated accordingly.

The Council's Long Term Transport Strategy encourages the use of pedestrian way-finding signage that is consistent in design and quality to Legible London, enhancing navigation and familiarity with the surroundings. Transport for London's Streets Toolkit also provides detailed guidance for creating high quality streets and public places.

## **Conclusion**

The Council invites the Inspectors to consider and recommend that the Council makes the additional further modifications set out in this paper recognising that those considered to be Main Modifications will need to be formally consulted upon following the examination hearing sessions.