

Main Matter 1 – Duty to Co-operate and Legal Issues - Planning and Compulsory Purchase Act 2004, Section 19 and the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended)

6. Is the Plan consistent with national policy, including the NPPF, NPPW and PPG? Are there any significant departures from national policy? If so, have they been justified?

1) Consultation

As we have confirmed previously, our client's site has been allocated within the **Oakleigh Road safeguarded waste area** – one of four areas within the London Borough of Barnet earmarked for future new waste management facilities. On the basis that our client is directly affected by the proposed policy allocation, it is perplexing to find that the business was not consulted directly throughout the NLWP process, nor was the Company notified of any formal consultation.

Following discussions with LB Barnet Officers, it has come to light that properties located within defined Strategic Industrial Land (**SIL**) and/or Locally Significant Industrial Site (**LSIS**) zonings were not specifically consulted (note: our client's site is located within the *Oakleigh Road South LSIS*) because designated industrial areas have been regarded by the planning authorities (across the NLWP area) as well suited, in principle, for proposed waste uses. Consequently, by allocating these sites as safeguarded waste areas, the NLWP does not propose any land use policy changes to the areas in question.

Given our client has a longstanding local business and an established customer base, it is our opinion that the business ought to have been consulted properly, and directly, through the course of the Plan preparation process (especially considering that the provision of new waste management facilities has the potential to jeopardise the future operation, management and growth of the business). On this basis, it is our opinion that the NLWP is **not** consistent with national policy as it does not accord with NPPF Paragraph 16, which states that Plans should be shaped by early, proportionate and effective engagement between plan-makers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees.

2) Business Growth

Notwithstanding the lack of direct consultation and engagement highlighted above, we have a particular concern with regard to the proposed policy allocation and how it might impact on our client's business in the future. Given the NLWP has allocated our client's site for safeguarded waste uses, if the Inspector finds, like we do, that the intended zoning could threaten the future of the business, the NLWP may conflict with NPPF paragraph 80, which states that planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. Here, that approach is conflicted.