



Barnet Draft Local Plan
Publication Stage Representations Form

Ref: (For official use only)
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PART B - Your representation

Please complete a separate Part B for each representation and return along with a single completed Part A.

Question 1: To which part of the Local Plan does your representation relate?

Representations must be made on a specific policy or part of the Plan, please state the policy number, paragraph number, figure/table or Policies Map designation.

Policy: Policy GSS01, Policy GSS01, Policy GSS11, Policy ECY01, Policy TRC03, Policy CDH04

Paragraph _____ n/a _____ Figure/Table _____ n/a _____ Policies Map designation
_____ n/a _____

Question 2: Do you consider that this part of the Local Plan is:

Tick all that apply, please refer to the guidance note for an explanation of these terms.

- | | | |
|--|------------------------------|-----------------------------|
| a) Legally compliant | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| b) Sound | Yes <input type="checkbox"/> | No X |
| c) Compliant with the Duty to Co-operate | Yes <input type="checkbox"/> | No <input type="checkbox"/> |

Question 3: Please give details of why you consider this part of the Local Plan is not legally compliant, is unsound, or fails to comply with the duty to co-operate.

Please be as precise as possible. If you wish to support the legal compliance or soundness of the Plan, or its compliance with the duty to co-operate, please also use this box to set out your comments.

See Cover Letter.

Continue on a separate sheet if necessary

Question 4: Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect to the matters you have identified in Question 3 above.

Please note that non-compliance with the duty to co-operate is incapable of modification at examination. You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

See Cover Letter.

Continue on a separate sheet if necessary

Please note:

In your representation you should summarise succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues they identify for examination.

Question 5: If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing sessions?

Yes, I wish to participate in hearing session(s)

No, I do not wish to participate in hearing session(s) /
I am not seeking modification to the Plan

Question 6: If you wish to participate at the examination hearings, please outline why you consider this to be necessary.

Please note that the inspector will make the final decision as to who is necessary to participate in hearing sessions, and to which hearing session(s) they should attend, and they will determine the most appropriate procedure to adopt to hear those who wish to participate at the examination hearings.

We would like to be given the opportunity to attend the hearing to elaborate on the representations made, to participate in the discussions held in respect of the issues raised within our representation, and to respond to any further issues arising during the plan-preparation / examination process.

Declaration of consent


The personal information you provide on this form will be processed in accordance with General Data Protection Regulations 2018 (GDPR). The information you provide will only be used for the purposes of the preparation of the Local Plan as required by the Planning and Compulsory Purchase Act 2004 (as amended), and may be used by the Council to contact you if necessary, regarding your submission. Your name, name of organisation, and comments, will be made available for public inspection when displaying and reporting the outcome of the statutory consultation stage and cannot be treated as confidential. You will not be asked for any unnecessary information and we will not publish any personal data beyond what is stated in this declaration.

Your details will be kept in accordance with the Council's Privacy Notice, until the Local Plan is adopted plus a further five years to evidence that a fair and transparent process has been followed. Processing is kept to a minimum and data will only be processed in accordance with the law. We will take all reasonable precautions to protect your personal data from accidental or deliberate loss or unauthorised disclosure.

The Council's Privacy Notice can be viewed at <https://www.barnet.gov.uk/your-council/policies-plans-and-performance/privacy-notices>

The legal basis which enables the Council to process your data for this purpose is consent from the data subject (you) under Article 6, paragraph (a) of the GDPR. Information provided will be stored in accordance with the Council's retention and disposal guidelines.

By completing and signing this form I agree to my name, name of organisation, and representations being made available for public inspection on the internet, and that my data will be held and processed as detailed above, in accordance with the Council's Privacy Notice:

Signature _____  _____ Date _____ 06/08/2021 _____

6 August 2021



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By email to forward.planning@barnet.gov.uk

Dear Sir/ Madam,

**Barnet Draft Local Plan (Regulation 19) Consultation – August 2021
Representations on behalf of Casa Bella Developments Ltd
Land at The Hyde, 1606 The Hyde, Edgware Road NW9 6NW**

We write on behalf of Casa Bella Developments Ltd to make representations on the Draft Local Plan. The representation provides general comments and also specific comments in relation to the site at The Hyde, Edgware, London. The site represents under-utilised brownfield land which currently comprises a large two-three storey commercial building with a basement and is used as a car sales showroom with car repair and servicing facilities. Large areas of hardstanding exist at the front and rear of the site which are used for the display of cars as well as for staff and visitor car parking. Cars are also parked on the roof of the building. The site is located less than 100m to Colindale / The Hyde District Town Centre along the A5 Edgware Road which has undergone and is undergoing significant changes along its length. An indicative site location plan is provided below. The site is suitable for residential intensification and it should therefore be allocated in the Local Plan.

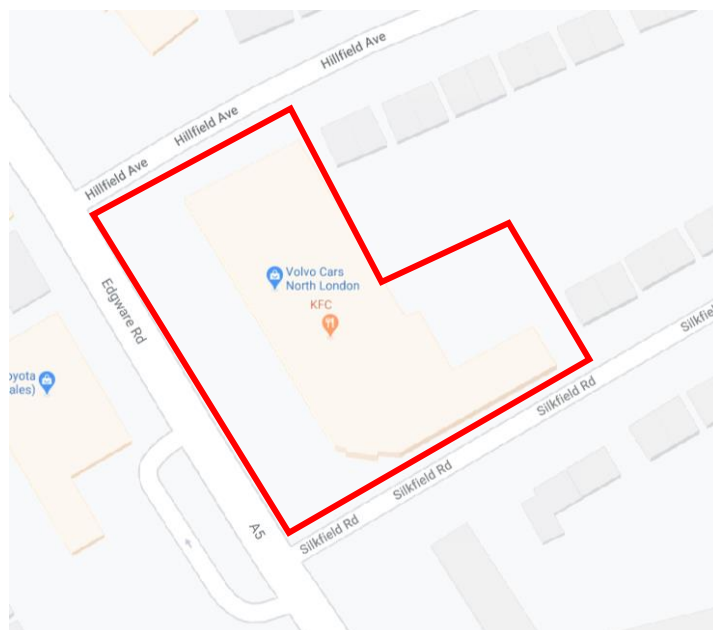


Figure 1 – Site Location Plan

Offices and associates throughout the Americas, Europe, Asia Pacific, Africa and the Middle East.

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Site Description

The circa. 0.49 hectare site is located approximately 1.3km from Colindale Underground Station (16 minute walk) providing Northern Line services into Central London, and within walking distance of 6 bus routes (nos. 183, 83, 32, 142, 324 and 204). Hendon Station is located 1.4km to the south of the site (17 minute walk) providing Thameslink rail services into central London and north to Luton. The Site has a Public Transport Accessibility Level (PTAL) of 2, with part of the site having a rating of 3

The Site is located within 100m of Colindale The Hyde District town centre providing convenience shopping. A Sainsbury's Supermarket is located 500m to the south and Morrison's, Asda, Marks and Spencer and Aldi are located 1km to the north, all within walking distance.

The Site is not located in a Conservation Area and is neither statutorily nor locally listed. There are no statutory or locally buildings within close proximity.

The site is located in Flood Zone 1 at low risk of flooding. The Council's Proposals Map identifies the site within an Area of Archaeological Importance.

This part of the Edgware Road is characterised by a mix of large commercial uses as well as more recent mixed-use developments. The character is varied. These include: Car showrooms to the north and west, The Hyde House Premier Inn, a 12-storey hotel and office building; and Ashton Lodge care home (6-7 storeys). The Edgware Road is being intensified and transformed. This is clear from the various developments completed, underway and approved to the south and north along the Edgware Road, including (inter alia):

- The Rushgroves (Former Homebase), east Edgware Road – Planning permission for up to 386 residential homes, 936sqm of B1 floorspace, 97 sqm of A3 floorspace, 295 sqm of Class D1 floor space and 96sqm of Class D2 floorspace up to 14 storeys, approved 21st October 2015 (LB Barnet reference: H/05828/14) – under construction;
- Colindale Telephone Exchange – Mixed use application comprising up to 505 residential homes and 742 sqm of commercial floorspace in buildings up to 17 storeys, approved on 10th January 2020 (LB Barnet reference: 18/0352/FUL) – under construction;
- Silk Park, Hyde Estate Road – Resolution to grant planning permission for 1,309 residential homes, replacement 8,998 sqm Sainsburys store and 951 sqm of commercial floorspace in buildings ranging from 4 to 28 storeys, subject to completion of s106 agreement (LB Barnet reference: 19/4661/FUL) – under construction;

- Zenith House, Edgware Road – Redevelopment to provide 309 residential units, 1611 sqm of B1/D1 floorspace and 97sqm of A class floorspace in buildings ranging from 2 to 16 storeys, application approved March 2011 (LB Barnet reference: H/04167/10) – completed;
- Park Parade Mansion – Redevelopment of site involving the demolition of buildings and the erection of 18 storey building containing 920 sqm of retail use, 164 of office use and 110 residential units, application approved July 2021 (LB Brent reference: 17/2284);
- 363 Edgware Road – Demolition of existing showroom and multi-storey carpark building and erection of buildings 5 – 19 storeys in height to provide 165 residential units with a commercial use (Class E) at ground floor level, together with associated parking, application submitted March 2021 awaiting decision (LB Brent: 21/1124); and
- Crown Honda – Phased mixed use redevelopment comprising of three buildings extending up to 24 storeys providing a range of uses including 470 residential dwellings, office and workspace, flexible community space and associated works, application submitted in August 2020 and awaiting determination (LB Barnet: 20/3906/FUL).

Site Allocation

The Local Plan should specifically allocate this site in order to provide support for the redevelopment and intensification of the under-utilised site. This site is appropriate for redevelopment given the pressure and need for housing in the borough, and in London. The allocation would provide an appropriate and positive planning context for future applications.

The site has potential to deliver a significant number of residential dwellings on a brownfield site in a sustainable location. The National Planning Policy Framework (NPPF) promotes the effective use of such underutilised brownfield sites to deliver homes. For this reason an allocation for residential intensification should be provided in the Local Plan. Policy H1 of the 2021 London Plan encourages such allocations in preparing delivery-focused Development Plans.

Residential Intensification

The Draft Local Plan seeks to deliver between 2021 and 2036 a minimum of 35,460 new homes (2,364 per annum). The Council has set this target following the preparation of a Strategic Housing Market Assessment which identified a Full Objectively Assessed Need for 46,000 new homes over the plan period (3,060 per annum). This target continues to be significantly below housing need when calculated using the Governments Standard Methodology (applying this methodology the Council is required to deliver 5,361 new homes per annum). This identified shortfall is considered to fail the 2021 NPPF Paragraph 35 ‘test of soundness’ by virtue

of the Draft Plan not being positively prepared to meet housing needs and not being consistent with the NPPF's objective to significantly boost the supply of homes.

As identified within the Secretary of State Directions received during the examination of the new London Plan:

- There is a need to maximise housing delivery in London by taking proactive steps to surpass the housing requirements in the London Plan.
- There is still a very long way to go to meet London's full housing need. The Secretary of State noted that the London Plan 2021 clearly and starkly fails to achieve the housing need and asked that the Mayor starts working to dramatically increase the capitals housing delivery and to start considering the next London Plan to bridge the gap having regard to the acute housing need London faces.

Taking the above into account, the reduction from 46,000 homes per annum stated within the Regulation 18 Draft Local Plan to 35,460 homes per annum is disappointing and does not represent a commitment to maximising delivery of housing in London. Such reduction is contrary to bringing the Draft Plan targets closer to housing need and result in the Draft Plan not being positively prepared.

Taking account of the identified housing shortfall, it is important that residential intensification of sustainable locations such as the subject site is supported within a positive planning framework. Furthermore, should the Council maintain a minimum housing target which is not in conformity with the Government's Standard Methodology, the policies of the Draft Local Plan should be worded to support additional housing delivery to exceed the minimum target.

The Draft Local Plan identifies that growth will be concentrated in the most sustainable locations with good public transport connections. The Draft Plan states that this includes 5,400 homes in District Centres and 3,350 homes along Major Thoroughfares. The Edgware Road, on which the site is located, is identified as a Major Thoroughfare within the Draft Local Plan, therefore, a location where growth is proposed to be concentrated. As identified above the site also has good public transport connections and is within 100m from the Colindale District Centre where significant additional growth is proposed.

Such growth is supported in the 2021 London Plan where development of brownfield sites on the edge of town centres are promoted under Policy GG2. The 2021 London Plan and NPPF also promotes making the best use of land by optimising residential growth potential, with priority outlined for well-connected sites. This demonstrates that residential intensification of the subject site is supported and provides further justification for allocation of the site.

Employment

The draft policies on assessing alternative uses on non-designated employment sites within Policy ECY01 of

the Draft Local Plan are unclear. Part (i) of the policy should make clear that the non-designated employment sites relate to those sites in office and industrial use only. Employment can refer to many uses, i.e. retail, leisure, sui generis type uses such as a car showroom use. Based on pre-application discussions with the Council, the provisions within part (i) do not apply to such uses; therefore, the wording of part i) should be amended as follows:

- i) *In assessing proposals for alternative uses to those outlined in (a), (b) and (c), on non-designated ~~employment~~ office and industrial sites, as well as London Plan Policy E7C the following will be taken into consideration:*

In relation to i) there should be no requirement for premises to be vacant for over 12 months. Where a lease is due to end and discussions around extending a lease indicate that the occupier will not be remaining in the premises, an owner would commence marketing ahead of vacancy. It would not be sustainable to leave the premises vacant for 12 months, where there could be opportunities to find an occupier earlier or to consider alternative uses within an earlier timeframe. The requirement for a period of vacancy should therefore be deleted, as the primary consideration should be whether there is a reasonable prospect of the site being occupied for the relevant employment use.

In accordance with the NPPF, policies need to reflect changes in the demand for land in the context of making effective use of land; therefore, requiring vacancy would not be a reasonable approach. As such, the draft Plan is not considered to be 'justified' or 'consistent with national policy'.

Parking

In locations with lower PTAL ratings, such as the subject site, the Draft Local Plan requires development to provide car parking. The site is located within close proximity of bus, rail and underground links. The site is also located within 100m of a District Centre and within walking distance of other retail stores and other amenities such as social infrastructure and open spaces. These provide access to a range of shops, services and employment opportunities for potential future occupants of the site.

The draft approach stated within the Draft Local Plan of using the PTAL rating to establish maximum parking standards is not always suitable. It is suggested that further criteria are included within Policy TRC03 so that account can be taken of access to shopping facilities, amenities and employment opportunities in determining appropriate levels of parking for individual sites. Other criteria that should be considered should include: the type, mix and use of development. This approach would be in accordance with the NPPF which states that if setting local parking standards, policies should take account of these criteria. Furthermore, the policy should acknowledge (as per the London Plan) that development within and in close proximity to town centres "*generally have good access to a range of services within walking distance, and so car-free lifestyles are a realistic option*

for many people living there”.

Tall Buildings

The Draft Local Plan identifies that tall buildings may be appropriate in specified strategic locations, including along a Major Thoroughfare, such as the A5 Edgware Road. This approach is supported so to make best use of land in a sustainable location and to reflect the evolving character of this corridor.

Map 4 of the Draft Plan ‘Locally Important Views’ has been updated to show ‘Strategic Tall Buildings Locations’. It is considered that all Major Thoroughfares, including the Edgware Road should be considered as Strategic Tall Buildings Locations’ due to the identified potential of these locations for infill and intensification, whilst being supported by good transport infrastructure. Such strategic development would assist in achieving residential intensification along the Edgware Road and make a positive contribution towards increasing the delivery of housing. The Plan itself or supporting text should make clear that the boundaries of the ‘Strategic tall building location’ show ‘broad or indicative locations’ rather than definitive boundaries, and that proposals for tall buildings will be assessed on a case for case basis having regard to townscape and visual impact analysis and the criteria listed in London Plan 2021 and part e) of the CDH04. policies. In turn such changes would assist in demonstrating that the Draft Plan meets the NPPF test of being positively prepared.

As identified above the Edgware Road has been subject to a significant amount of development in recent years with development rising up to 28 storeys in height. These applications demonstrate that the Edgware Road is a suitable location for tall buildings, where tall buildings are characteristic of the townscape.

Summary

The Draft Local Plan aims to deliver significant residential growth including within Colindale, around District Centres and along Major Thoroughfares. The principle of this growth is supported. Given the opportunity presented by the sustainable location of Colindale, with its good public transport connections and access to local jobs, services and amenities, it is very important that the development potential of sites, such as The Hyde, are optimised to the fullest potential to contribute to meeting the borough’s housing needs (which are significantly higher when applying the Governments standard methodology). A positive proactive approach should therefore be taken particularly taking note of the Secretary of States directions when the London Plan 2021 was being prepared.

The Draft Local Plan sets a minimum housing target which is some 56% below housing need (as calculated using the Governments Standard Methodology). The Council should therefore embrace opportunities for further growth potential, such as that presented by the site. Should the Council proceed with lower housing targets that are not in conformity with the housing need figures derived from the Standard Methodology, the policy wording should strongly express support for additional housing delivery to exceed the minimum target.


The draft Local Plan policy on alternative uses on non-designated employment sites should be amended in the context of the need to make effective use of sites and in speeding up the planning process. Parking policies within the Draft Plan do not allow sufficient flexibility to allow for the best use of development sites, given its focus on PTAL ratings. Other criteria should be taken into account and reflected in planning policy in accordance with the London Plan and NPPF.

The site can deliver residential intensification of an under-utilised brownfield site located in a sustainable location. The site should be allocated to ensure that there is a positive planning framework for bringing forward redevelopment. The site would contribute towards achieving sustainable development, a key requirement of the NPPF (Paragraph 7) and would help the borough to meet its housing needs. There is therefore strong justification for the allocation of the site within the new Local Plan.

We would be grateful for confirmation that this letter of representation has been received, and that it will be taken into account. We would like to be given the opportunity to attend the hearing to elaborate on the representations made, to participate in the discussions held in respect of the issues raised within our representation, and to respond to any further issues arising during the plan-preparation / examination process.

Should you have any questions regarding its contents please do not hesitate to contact me at this office.

Yours faithfully,

A solid black rectangular box used to redact the signature of Chris Brady.

Chris Brady, Savills