



Barnet Draft Local Plan
Publication Stage Representations Form

Ref:
(For official use only)

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 **GSS01** Paragraph **n/a** Figure/Table **Table 5**

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 <input checked="" type="checkbox"/> |
| 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.

The Draft Local Plan identifies a housing need for Barnet of 35,460 new homes (2,364 per annum, London Plan 2021 target) over the Plan Period from 2021 up to 2036, while providing a supply of sites for up to 46,000 new homes (3,060 per annum) which is based on the Objectively Assessed Need for Housing as identified in Barnet's SHMA 2018. Policy GSS01 and Table 5 set out how the housing targets will be met.

The strategy outlined in Policy GSS01 and Table 5 is not sound in the context of NPPF (2021) Paragraph 35 as it is over reliant on large and complex urban regeneration sites.

The proposed strategy for meeting housing need is overly optimistic and not effective as it is over-reliant on complex urban regeneration sites. It is not justified as there is insufficient evidence provided that these large urban regeneration sites will deliver in the required timescales. This issue has previously been acknowledged in Barnet's Housing Delivery Action Plan (2020) which states that a 'high dependence on larger sites results is a potential risk to overall future delivery, given the broad reliance on meeting a significant proportion of the target for new homes through a small number of very large schemes'.

For example, the Brent Cross Growth Area is proposed to deliver 9,500 homes by 2036. Section 4.15 of the draft Local Plan notes that the development of the Brent Cross Growth Area is dependent on factors relating to land ownership, viability and phasing. The existing outline planning application was approved in 2010 and will need to be supplemented through further planning applications to update areas of the masterplan. The size, complex history and landownership arrangements of this site make

it difficult to guarantee that 9,500 homes will be delivered by 2036 and sufficient evidence is not provided to justify this.

At Edgware Town Centre, 5,000 new homes are expected to be delivered by 2036, with 3,350 of these by 2031. However, the Council has not yet received any development proposals for this site and does not indicate that they have had discussions with developers or landowners. There could be complex issues to do with landownership, viability or previous uses of the site which may delay delivery and these do not appear to have been sufficiently assessed. Therefore, insufficient evidence is provided that 3,350 homes will be delivered in Edgware Town Centre in the next ten years, and 5,000 by 2036.

The two examples above indicate that the reliance on large sites in the draft Local Plan is not justified nor is the plan sound in regard to NPPF (2021) Paragraph 35.

The strategy of seeking to achieve the Borough's housing target by relying on large strategic sites is highly aspirational and ambitious. Paragraph 16 of the NPPF (2021) states that plans should be '*prepared positively, in a way that is aspirational but deliverable*' and one of the key tests for soundness is that the plan should be effectively and deliverable over the plan period (Paragraph 35). There is no evidence presented to provide clarity or certainty that the large strategic sites would deliver the quantum of homes required over the plan period.

In order to make the plan sound, mixed-use redevelopment of available sites and previously developed land across the Borough and in particular on sites in Growth Areas and Opportunity Areas. For example, the Nos. 20-130 Colindeep Lane site is suitable for redevelopment and could deliver a number of new homes that would substantially contribute towards meeting the Borough's housing target over the plan period in the shorter term.

The Draft Local Plan should set out an alternative scenario that isn't solely based on large strategic sites but also allocates a range of small and mid-size sites suitable for redevelopment; such as Nos. 20-130 Colindeep Lane.

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.

In order to achieve a sound strategy, the Council need to allocate more small/ medium sized, available and deliverable sites that could deliver homes in the short to medium term, until the larger, complex regeneration sites deliver housing on a regular basis. This would ensure that a five-year housing land supply is in place, and provide other benefits such as the earlier provision of affordable housing.

The following additional criteria should be added to Draft GSS01:

"g) Other developed sites suitable for mixed-used redevelopment that have the potential to optimise the use of the land and to deliver new homes and job opportunities".

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) X
- 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.

The Spatial Strategy set out in Draft Policy GSS01 is a complex issue that needs to be discussed to ensure that the plan is sound. We would wish to attend the EiP hearing session in relation to Draft Policy GSS01.

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.

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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 Clarion Housing Group and the Huntingdon Foundation
Date 03/08/2021



Barnet Draft Local Plan
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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 **GSS06** Paragraph **4.19.8 and 14.19.9** Figure/Table **Map 2**

Policies Map designation **Colindale Growth Area and Colindale and Burnt Oak Opportunity Area**

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.

- | | | |
|--|---|--|
| d) Legally compliant | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| e) Sound | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| f) Compliant with the Duty to Co-operate | Yes <input checked="" 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.

Overall, we support the objective for development to be located in the Colindale Growth Area. However, the strategy outlined in Policy GSS06 is not considered to be sound in the context of NPPF (2021) Paragraph 35 as it is not effective. It is over reliant on specific large and complex urban regeneration sites such as Colindale Gardens, Colindale Underground Station and the Public Health England Site; some of which are already being built out. Draft Policy GSS06 and it's associated supporting paragraphs fail to recognise that there are other sites within the Growth Area, located outside of the major site identified on Map 3D at page 61 and listed at Paragraph 4.19.8. that are suitable for redevelopment in the short term. The risk associated with the reliance on specific sites within the Growth Area to deliver development has not been effectively addressed within the Draft Local Plan or it's associated evidence base. There is no evidence presented to demonstrate the strategy is effective and could be successfully delivered over the plan period.

The Council's supporting evidence base provides insufficient evidence to demonstrate that sites identified on Map 3D at page 61 and listed at Paragraph 4.19.8 will deliver the desired quantum of development within the plan period. This issue has previously been acknowledged in Barnet's Housing Delivery Action Plan (2020) which states that a '*high dependence on larger sites results is a potential risk to overall future delivery, given the broad reliance on meeting a significant proportion of the target for new homes through a small number of very large schemes*'. A reliance on large scale sites could delay delivery as there are often complex issues associated with landownership arrangements and viability.

Paragraph 4.19.3 states that "*Colindale continues to deliver new homes with a development pipeline of over 6,000 units, 4,100 of which are within the Plan Period*" and Draft Policy GSS06 states "*the Growth Area has capacity to deliver 4,100 new homes between 2021 and 2036*".

Paragraph 4.19.9 refers to proposals sites within the Colindale Area shown on Map 3D and listed an Annex 1. The indicative quantum of homes set out at Annex 1 in relation to the sites identified within the Growth Area on Map 3D totals 1,737 which fails to demonstrate how the target of 4,100 new homes will be delivered. It is unclear from the Draft Policy and supporting text how the remaining pipeline of 2,363 homes will be delivered and whether these homes are subject to extant planning permissions being delivered. The indicative capacity of the sites shown on Map 3D set out at Annex 1 is based on the rigid application of a density matrix. The indicative capacity of sites should be identified via a design led approach in accordance with new London Plan (2021) to enable the most appropriate density for the site, based on and in response to the key opportunities and constraints to be identified.

To be sound Draft Policy GSS06 and it's supporting paragraphs should be modified to support the mixed-use redevelopment of available sites and previously developed land within the Growth Area as a whole; such as Nos. 20-130 Colindeep Lane. At present the rigid focus large and complex urban regeneration sites fails to provide sufficient flexibility to allow other sites to come forward. It is overly restrictive and rigid and fails to allow sufficient flexibility for successful implementation over the plan period of fifteen years.

By way of an example, the Nos. 20-130 Colindeep Lane site is suitable for redevelopment and could deliver a number of new homes together with employment generating floorspace. The redevelopment of the site offers a significant opportunity to make more efficient use of the land and provide more modern, fit for purpose employment generating floorspace, as well as high-quality residential development. The site is unconstrained, available and deliverable within the plan period. This is an example of a suitable site which has development capacity to accommodate new housing and commercial development and reduce the over reliance on large, complex urban regeneration sites to meet the housing requirement in the shorter term. As drafted, there is a risk that the delivery targets will be unmet if one of the specific sites identifies fails to come forward.

Map 2 at page 31 of the Draft Local Plan shows the Colindale Area as an Opportunity Area; however Map 2 should be explicit that area is both an Opportunity Area and a Growth Area. The Draft Local Plan should adopt a consistent approach through when defining/referring to Opportunity Areas and/or Growth Areas.

Draft Policy GSS06 and it's associated supporting paragraphs fail to address the capacity of the Growth Area in relation to creating new employment opportunities and provision of commercial floorspace. The defined boundary of the Growth Area show on Map 2 at page 13 is consistent with the boundary of the Colindale and Burnt Oak Opportunity Area. The London Plan (2021) is explicit that Opportunity Areas are significant locations that have development capacity to accommodate new housing and commercial development (Paragraph 2.1.1). The Draft Policy GSS06 should acknowledge and support the role the Growth Area has in relation to delivering the 2,000 indicative jobs identified in Table 2.1 of the London Plan (2021) for the Colindale and Burnt Oak Opportunity Area.

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In order to be sound by being effective and in accordance with the NPPF (2021) and boost the supply of homes and optimise the use of land, Draft Policy GSS06 and the supporting paragraphs need to be modified to provide better support and flexibility for the redevelopment of sites not set out at Paragraph 4.19.8 (the key location) or shown on Map 3D and to support the provision of new employment opportunities and commercial floorspace.

We request the following additional supporting paragraph is included within the Draft Local Plan:

"In contributing towards the delivery and supply of homes and jobs, mixed-used redevelopment proposals on existing developed sites, will be encouraged across the Growth Area. Mixed-use

redevelopment of sites outside of the key areas listed at Paragraph 4.19.8 has the potential to optimise the use of land and deliver substantive benefits that would contribute to delivering new homes and jobs and support the viability and vitality of the Growth Area”.

We suggest Draft Policy GSS06 is modified as follows:

“The Colindale Growth Area provides the opportunity to create a more sustainable place that actively demonstrates a Healthy Streets Approach where cycling, walking and public transport are the preferred mode of travel. The Growth Area has capacity to deliver 4,100 new homes between 2021 and 2036. This includes development at Colindale Gardens, Colindale Underground Station and Public Health England. New homes at the Grahame Park Estate are considered in Policy GSS10.

The Council will also encourage the mixed use redevelopment on existing developed sites across the Growth Area that contribute towards the supply of homes and/or jobs.

In addition to new homes delivery the Council expects the following to be delivered:

... [bullets 1-10]

- New job opportunities and better quality commercial floorspace.*

Colindale development up to 2036 will be focussed at the following locations:

- Land at Colindale Underground Station will be redeveloped to provide a new, higher capacity, step-free access station that incorporates cycle parking;*
- The Grahame Park Estate will be renewed and much better integrated with surrounding areas, delivering 2,760 new homes providing wider choice of housing type and tenure;*
- Colindale Gardens where new homes will be accompanied by a new primary school, a new children’s nursery, a new park, and a new primary health care facility;*
- The Public Health England site where residential led development will re-integrate this site back into Colindale and reconnect the area with the Silk Stream;*
- Middlesex University’s Platt Hall be redeveloped in a manner which is sympathetic to the context and character of the Grade II Listed Writtle House, to provide an uplift in the number of student units on the site.*
- Other developed sites suitable for mixed-used redevelopment that have the potential to optimise the use of the land and to deliver new homes and job opportunities.*

The Colindale Growth Area should help to support and link to the nearby town centres of Colindale The Hyde and Burnt Oak, enhancing their character and amenity, in coordination with LB of Brent”.

Please note:

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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

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To be effective and accord with the NPPF, draft Policy GSS06 should not solely rely on the delivery of large scale, complex, urban sites within the Growth Area. This approach fails to optimise the use of developed land and boost the supply of housing as it does not provide sufficient flexibility for alternative sites to come forward and deliver substantive benefits associated with mixed use redevelopment. We wish to attend the relevant EiP hearing session in relation to Draft Policy GSS06.

Declaration of consent

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Signature Clarion Housing Group and the Huntingdon Foundation
Date 03/08/2021



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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: **HOU01** Paragraph **5.4.9 and 5.4.10** 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.

- | | | |
|--|------------------------------|--|
| g) Legally compliant | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| h) Sound | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| i) Compliant with the Duty to Co-operate | Yes <input type="checkbox"/> | No <input type="checkbox"/> |

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Response:

Draft Policy HOU01, is considered unsound on the basis of NPPF (2021) Paragraph 35 on the basis it is unjustified and ineffective. It fails to make reference to London Plan (2021) Policy H5 and the associated supporting text does not explicitly confirm whether LB Barnet will implement the Mayor's Fast Track approach to viability in accordance with the London Plan (2021).

Draft Policy HOU01 and the associated supporting text should be modified to accord with the Mayor's Fast Track approach and allow the policy to be effectively implemented alongside London Plan (2021) Policy H5. The policy wording should be explicit that LB Barnet will implement the Fast Track approach in line with London Plan (2021) Policy H5 to ensure it is sound, positively prepared and consistent with the London Plan (2021).

Draft Local Plan Paragraph 5.4.9 states:

"The London Plan, Policy H4 sets the strategic target of 50% for affordable housing. Through Policy H5, as part of a fast track approach to delivery, the London Plan also introduces the Threshold Approach to Applications with a minimum threshold of 35% (without public subsidy) on all land other than public sector or designated employment land where 50% is the threshold level unless there is a portfolio agreement with the Mayor".

Paragraph 5.4.9 fails to confirm whether the ‘*Threshold Approach to Applications*’ will be applied when LB Barnet assess development proposals and their associated affordable housing provision.

Draft Local Plan Paragraph 5.4.10 states:

“Any deviation from the minimum 35% provision that is not consistent with the required tenure mix will need to be fully justified through a policy compliant viability assessment”.

Paragraph 5.4.9 and the supporting text set out in relation to Draft Policy HOU01 fails set out how LB Barnet will assess the viability and affordable housing offer of scheme that achieve or exceed the affordable housing target.

London Plan (2021) Policy H5 allows affordable housing led schemes with an alternative tenure split to follow the fast track route. Policy H5 (D) states that:

“Developments which provide 75 per cent or more affordable housing may follow the Fast Track Route where the tenure mix is acceptable to the borough or the Mayor where relevant.”

London Plan (2021) Para. 4.5.10 expands upon the Policy H5:

“To incentivise schemes with a high proportion of genuinely affordable housing, schemes that propose 75 per cent or more genuinely affordable housing may be considered under the Fast Track Route whatever the affordable housing tenure mix, where supported by the borough and, where relevant, the Mayor. This should be determined on a case-by-case basis having regard to the housing need met by the scheme and the level of public subsidy involved.”

Draft Policy HOU01 and the associated supporting text is as drafted considered unsound on the basis it fails to adequately demonstrate consistency with the London Plan (2021).

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.

Draft Policy HOU01 should be modified to accord with Mayor’s Fast Track approach and allow the policy to be implemented alongside London Plan Policy H5. Draft Policy HOU01 should be explicit and state the following (or similar):

“Development proposals may follow the Mayor’s Fast Track approach where they meet or exceed the relevant threshold level of affordable housing on site in accordance with the provisions set out in London Plan (2021) Policy H5. Development proposals which provide 75 per cent or more affordable housing may follow the Fast Track Route where the tenure mix is considered acceptable and would effectively contribute towards meeting housing needs. Fast tracked application will not be required to provide a viability statement at application stage”.

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.

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Draft Policy HOU01 should make reference to London Plan (2021) Policy H5 and LB Barnet's implementation of the Mayor's Fast Track approach to be considered sound in the context of NPPF (2021) Paragraph 35. The policy requires modifications in order to make it fully sound and should be modified in order to be effective and justified to enable qualifying developments to be progressed via the Mayor's Fast Track approach in line with the London Plan (2021). This will ensure the policy allows sufficient flexibility for development to come forward. We wish to attend the EiP session in regards to Draft Policy HOU01.

Declaration of consent

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

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Policy: **HOU02** Paragraph **5.5.10** 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 checked="" type="checkbox"/> | No <input type="checkbox"/> |
| b) Sound | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| c) Compliant with the Duty to Co-operate | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |

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Response:

Draft Local Plan Paragraph 5.5.10 states:

"The dwelling size priorities will guide the mix of housing sought across Barnet and provide a basis for determining the mix of homes on individual sites".

Table 6 of the Draft Local Plan demonstrates that there is a need for all units sizes, from one-bedroom to five-bedroom plus, for both market and affordable housing. Draft Policy HOU02 states the dwelling size priorities are as follows:

"a) For market homes for sale and rent – 3 bedroom (4 to 6 bedspaces) properties are the highest priority, homes with 2 (3 to 4 bedspaces) or 4 bedrooms (5 to 8 bedspaces) are a medium priority.

b) For Affordable Homes (see Policy HOU01 and supporting text):

i. the smallest 2 bedroom property in this tenure is required to provide a minimum of 4 bed spaces in accordance with the residential space standards in Table 9

ii. 2 and 3 bedroom properties are the highest priority for homes at Low Cost Rent. iii. 3 bedroom properties are the highest priority for homes at a London Living Rent.

iv. 2 bedroom properties are the highest priority for homes at an Affordable Rent / Low Cost Home Ownership".

While it is appreciated that developments are expected to have regard to the guide dwelling size priorities set out in Table 6 rigid application of these requirements may not be acceptable or appropriate in all cases. Draft Policy HOU02 goes on to state:

"In applying the preferred housing mix the Council will consider the following criteria:

- c) Site size, surrounding context (including town centre location), PTAL and character.
- d) Mix of uses.
- e) Range of tenures.
- f) Potential for custom-build and community led schemes”.

The wording of Draft Policy HOU02 is considered to be unsound in the context of NPPF (2021) Paragraph 35 on the basis it is not justified or effective. The policy and associated supporting text fails to set out a clear definition of LB Barnet’s approach to assessing dwelling mix.

Draft Policy HOU02 should be revised to provide clarity on LB Barnet’s approach to assessing dwelling mix and ensure that the guide dwelling mix can be applied flexibly to meet the Borough’s needs but also respond appropriately to site-specific conditions and the Criteria A1-9 of London Plan (2021) Policy H10. The wording needs to be clear that when considering the criteria deviations from the guide dwelling mix may be appropriate where fully justified to ensure soundness.

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The following sets out how we consider Draft Policy HOU02 should be modified to better secure an appropriate dwelling mix in schemes that contributes towards addressing the Borough’s housing need and also appropriately responds to site specific characteristics:

“Policy HOU02 Housing Mix

In order to deliver safe, strong and cohesive neighbourhoods development should provide a mix of dwelling types and sizes in order to create sufficient choice for a growing and diverse population across all households in the Borough.

In protecting existing housing stock across Barnet the Council will manage the conversion of residential dwellings through Policy HOU03.

Barnet’s guide dwelling size priorities are based on Barnet’s SHMA and comprise:

- a) *For market homes for sale and rent – 3 bedroom (4 to 6 bedspaces) properties are the highest priority, homes with 2 (3 to 4 bedspaces) or 4 bedrooms (5 to 8 bedspaces) are a medium priority.*
- b) *For Affordable Homes (see Policy HOU01 and supporting text):*
 - i. *the smallest 2 bedroom property in this tenure is required to provide a minimum of 4 bed spaces in accordance with the residential space standards in Table 9*
 - ii. *2 and 3 bedroom properties are the highest priority for homes at Low Cost Rent.*
 - iii. *3 bedroom properties are the highest priority for homes at a London Living Rent.*
 - iv. *2 bedroom properties are the highest priority for homes at an Affordable Rent / Low Cost Home Ownership.*

These guide dwelling size priorities will be subject to periodic review and update when new assessments of housing need are commissioned.

Through the Authorities Monitoring Report (AMR) the Council will set out progress on delivering these guide priorities and building the right homes for the next generation. The AMR will inform the Council’s consideration of dwelling mix on a site by site basis.

The Council will allow variations to the guide dwelling size mix where it can be fully justified based on the following criteria:

- 1. The nature and location of the site, including it’s size, constraints site context (town centre or Growth Area location, PTAL and character);*
- 2. Viability;*
- 3. The mix of uses;*

4. *The range of tenures;*
5. *The aim to optimise housing potential on sites;*
6. *Potential for custom-build and community led schemes;*
7. *The ability of new development to reduce pressure on conversion, sub-division and amalgamation of existing stock;*
8. *The need for additional family housing and the role of one and two bed units in freeing up existing housing.*

~~In applying the preferred housing mix the Council will consider the following criteria:~~

- ~~c) Site size, surrounding context (including town centre location), PTAL and character.~~
- ~~d) Mix of uses.~~
- ~~e) Range of tenures.~~
- ~~f) Potential for custom-build and community led schemes.~~

Innovative housing products that meet the requirements of this Policy will be supported”.

An additional supporting paragraph should also be included after draft paragraph 5.5.11 and Table 7 to make it clear that the rigid application of preferred dwelling mix may not be appropriate. We would suggest the following or similar:

“While developments are expected to reflect the preferred dwelling mix set out above, rigid application of these requirements may not be appropriate in all cases. When considering the mix of dwelling sizes appropriate to a development, the Council will have regard to individual site circumstances and variations to the guide dwelling size mix may be accepted where they can be fully justified”.

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.

Draft Policy HOU02 should be modified to make it clear that the rigid application of preferred dwelling mix may not be appropriate and will be assessed on a site by site basis to not unnecessarily restrict emerging development proposals from coming forward/being delivered.

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.

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Signature Clarion Housing Group and the Huntingdon Foundation

Date 03/08/2021



Barnet Draft Local Plan
Publication Stage Representations Form

Ref:
(For official use only)

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: **CDH04** Paragraph **n/a** Figure/Table **n/a**

Policies Map designation

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 checked="" type="checkbox"/> | No <input type="checkbox"/> |
| b) Sound | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| c) Compliant with the Duty to Co-operate | Yes <input checked="" 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.

Response:

Draft Policy CDH04 defines a very tall building as 15 storeys and above. Draft Policy CDH04, its supporting paragraphs and the Tall Buildings Update (2019) which forms part of the Draft Local Plan's evidence base fails to set out any reasonable justification as to why tall buildings are defined as being between 8 and 14 storeys and why very tall buildings are defined as being 15 storeys and above. As such, Draft Policy CDH04 is considered unsound in the context of NPPF (2021) Paragraph 35 on the basis it is not justified or effective. Within the Colindale Growth Area there are a no. of tall buildings which extend above 15 storeys, for example emerging developments in the Growth Area extend up to 28 storeys.

We consider it inappropriate to set a singular definition for a tall building and for a very tall building for the entirety of LB Barnet. London Plan (2021) Policy D9 is explicit that Development Plans should define what is considered a tall building for specific localities, the height of which will vary between different areas.

Whilst Draft Policy CDH04 recognises the potential for very tall buildings within Growth Areas and Opportunity Areas, this reference should be strengthened to specifically support taller building within Growth and Opportunity Areas and as means of ensuring sites are genuinely optimised to demonstrate soundness and compliance with NPPF (2021) Paragraph 130 and the London Plan (2021) which requires planning polices to optimise the potential of sites to accommodate and sustain appropriate development.

Draft Policy CDH04 should be modified to make reference to a tall building's ability to optimise a site's development potential at an appropriate density, given their locations within Growth / Opportunity Areas in accordance with London Plan (2021) Policy D3 and the NPPF (2021). It should be clear that the appropriate height and scale of development should be the result of a design led process in accordance with the London Plan (2021).

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.

We request Criteria B of Draft Policy CDH04 is modified as follows:

~~"b) Tall buildings of 15 storeys or more ('Very Tall') will not be permitted unless exceptional circumstances can be demonstrated.~~ Development of very tall buildings will be directed towards the Borough's Opportunity Areas and Growth Areas. Very tall buildings will be supported in these locations where they optimise the site's development potential and achieve an appropriate density that represents an appropriate design solution in regard to the site's character and context.

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 wish to attend the examination hearing in relation to the Draft Policy CDH04. This is an important and technical matter that requires a discussion at the EiP.

Declaration of consent

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Signature Clarion Housing Group and the Huntingdon Foundation
Date 03/08/2021



Barnet Draft Local Plan
Publication Stage Representations Form

Ref:

(For official use
only)

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 **CHW01** 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 checked="" type="checkbox"/> | No <input type="checkbox"/> |
| b) Sound | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| c) Compliant with the Duty to Co-operate | Yes <input checked="" 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.

Although Clarion Housing Group and the Huntingdon Foundation support Draft Policy CHW01 in principle and the value of community facilities and services further flexibility is required to ensure it does not unnecessarily inhibit development coming forward where this not a genuine need to retain the existing facility. Draft Policy CHW01 is considered unsound in regard to NPPF (2021) Paragraph 35 on the basis it is not effective and unnecessarily inhibits sustainable development being delivered.

Redevelopment (including change of use) that involves the loss or replacement of existing community facilities / services needs to be considered in regard to site-specific circumstances and on a case-by-case basis. In some cases redevelopment proposals that result in a loss of a community facilities may deliver other substantive public benefits that outweigh the loss of the facility such as the provision of much-needed housing (including affordable), provision of new employment floorspace and jobs delivering local economic benefits, improvements to public realm and the townscape.

Draft Policy CHW01 should also recognise the potential for replacement community facilities to be incorporated into mixed use residential schemes where a genuine community need is being met.

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.

Draft Policy CHW01 should be modified as follows:

“Development (including change of use) that involves the loss or replacement of existing community facilities / services **will not be permitted unless one or more of the following criteria are met:** ~~only be permitted if:~~

- **It can be demonstrated that adequate alternative facilities meet the needs of the community;**
- **The replacement facility is equivalent to or better quality and meets the needs currently met by the existing facility; ~~or~~**
- **It ~~can be been~~ demonstrated that the facility (to be lost) is no longer required in its current use and that it is not suitable ~~or and~~ viable for any other forms; ~~or~~**
- **The public benefits associated with the loss of the facility would outweigh the loss of its function”.**

We also request the following additional criteria is inserted in Draft Policy CHW01:

“The provision of replacement community facilities into mixed use schemes will be supported where the facility meets and an identified need”.

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 wish to attend the examination hearing in relation to the Draft Policy ECY01. This is an important and technical matter that requires a discussion at the EiP.

Declaration of consent

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Signature Clarion Housing Group and the Huntingdon Foundation

Date 03/08/2021



Barnet Draft Local Plan
Publication Stage Representations Form

Ref:
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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: **ECY01** Paragraph **See Reps Below** Figure/Table **14**

Policies Map designation **Area of Business Location; Map 51**

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 <input checked="" type="checkbox"/> |
| 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.

Response:

Draft Policy ECY01 and the policy's associated supporting text is considered unsound in the context of NPPF (2021) Paragraph 35; it is not justified, effective or consistent with the NPPF. It fails to provide sufficient clarity or flexibility to enable the delivery of sustainable development over the plan period.

The Nos. 30-120 Colindeep Lane site currently comprises non-designated employment/industrial land in the adopted Statutory Development Plan. The Site is shown as 'Area of Business Location' in the Draft Local Plan and the [Changes to the Policies Map \(Reg 19\); Map 52 \(Nos. 30-100 Colindeep Lane\)](#). The Draft Local plan and associated evidence base fail to consider if the site could reasonably be redeveloped to provide an intensified use as part of a residential led mixed use scheme or provide sufficient justification for the site's designation as an 'Area of Business Location'.

The Draft Local Plan fails to set out a definition of 'An Area of Business Location', even though these are shown within the [Changes to the Policies Map \(Reg 19\)](#). Clarion Housing Group and the Huntingdon Foundation request that LB Barnet confirm the definition of 'An Area of Business Location' and allow further representations, if required in regard to the implications of this definition on the potential mixed use redevelopment of Nos. 30-120 Colindeep Lane, to be made prior to the submission of the Local Plan for examination.

Draft Policy ECY01 should be modified to provide greater flexibility regarding mixed use redevelopment to ensure it is effective and in compliance with general objectives of the NPPF (2021) which promote sustainable development and encourage the optimisation of land. Mixed-use redevelopment should seek to optimise residential development in order to deliver other significant planning benefits while demonstrating that the maximum feasible and viable proportion of non-residential floorspace is included within the scheme, and/or the re-provided space will result in an intensification of uses/ increased job densities. For example, the existing commercial floorspace at Nos. 30-120 Colindeep Lane. The mixed-use redevelopment of the site provides an opportunity to provide more modern, fit for purpose facilities that would increase job densities. Draft Policy ECY01 should be modified to provide greater flexibility to truly encourage the redevelopment of acceptable sites over the plan period. Flexibility is required to ensure deliverable schemes are secured and an appropriate and sustainable balance between meeting other policy objectives (i.e. housing need) and meeting economic aims is achieved and also address the changes in demand for workspace in light of the Covid-19 pandemic.

Criteria (g) of Draft Policy ECY01 is unsound on the basis it is not effective or justified. It requires financial contributions to be secured from development that results in a net loss of employment floorspace. This is wholly inappropriate. It cannot be defined as effective due to the lack of flexibility; it fails to consider that the net loss of employment may be appropriate in relation to site specific circumstances. Criteria (g) assumes a one size fits all approach across the Borough and fails to address the varying character of the borough. It unnecessarily prioritises the net re-provision of floorspace ahead of other key planning priorities such as the delivery of new homes. Furthermore, it assumes that all existing employment floorspace is in use, suitable for its purpose and fails to allow flexibility to re-evaluate specific sites and the quality and value of employment floorspace they provided. In some cases, it may be necessary to release under-utilised employment floorspace and re-provide a smaller quantum of floorspace which would perform better over the plan period as part of mixed use redevelopment. The aim of Criteria (g) is not justified or realistic.

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.

The Draft Local Plan should be modified to define an 'Area of Business Location'; at present Draft Policy ECY01 does not refer to or set out the proposed strategy in relation to such locations. Once defined, Clarion Housing Group and the Huntingdon Foundation reserve the right to provide further representations. LB Barnet have failed to reasonably or appropriately consult on the Draft Local Plan's definition of an 'Area of Business Location'.

Draft Policy ECY01 should be modified to provide greater flexibility regarding the partial replacement of commercial floorspace in relation to mixed use redevelopment that accords with other relevant policies and planning priorities; i.e. the delivery of homes in the Colindale Growth Area and Opportunity Area and ensure it is sufficiently flexible to appropriately adapt and respond to change over the plan period.

Draft Policy ECY01 should be modified as followed:

“ ...

General

*h) Seeking to protect existing office accommodation and light industrial uses in areas covered by Article 4 Direction. **The loss of employment accommodation in these areas will need to be justified***

~~and demonstrate the alternative proposal is more suitable and appropriate in these areas will not be supported.~~

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

i. Premises have been vacant for over 12 months and have no reasonable prospect of being occupied, following demonstrable active marketing during this period using reasonable terms and conditions, with the exception of meanwhile uses in accordance with j) iii).

ii. Loss of a commercial use at ground-floor level.

iii. Contribution of the proposed use to the Council's growth objectives for the local area.

~~vi. The loss of any existing employment floorspace in regard to the mixed use redevelopment of the sites which contribute to wider planning objectives such as the delivery of homes and proportion of affordable homes.~~

...

~~m) Financial contributions will be secured from development that results in a net loss of employment floorspace to invest towards improving employment space elsewhere in the Borough and/or towards training and other initiatives that seek to promote employment and adult education in the Borough".~~

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 wish to attend the examination hearing in relation to the Draft Policy ECY01. Draft Policy ECY01 is unsound for the reasons set out above. It is not an effective policy due to its lack of flexibility; it fails to allow planning decisions to be based on effective judgement, local need and site specific circumstances. This is an important and technical matter that requires a discussion at the EiP.

Declaration of consent

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Signature Clarion Housing Group and the Huntingdon Foundation

Date 03/08/2021



Barnet Draft Local Plan
Publication Stage Representations Form

Ref: (For official use only)

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: **ECY02** 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 <input checked="" type="checkbox"/> |
| 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.

Response:

Draft Policy ECY02 and the supporting text fail to fully comply with the provisions of London Plan (2021) Policy E3. It is considered unsound in the context of NPPF (2021) Paragraph 35 on the basis it fails to provide sufficient detail to ensure flexibility and effective implementation.

London Plan (2021) Policy E3 states that Boroughs should consider detailed affordable workspace policies in light of local evidence need and viability. Draft Policy EY02 states that “a minimum of 10% of gross new employment floorspace, or equivalent cash-in-lieu payment for off-site provision of affordable workspace” and fails to address viability matters. As drafted Draft Policy EY02 provides very little flexibility. We consider it is necessary to provide a level of flexibility which makes the policy and supporting text effective, to ensure the provision of affordable workspace and quantum should be subject to viability.

Draft Policy ECY02 states that “(a) new employment space in the Borough’s s designated employment areas and mixed use development, in Brent Cross, Edgware, New Southgate and District Town Centres should provide affordable workspace ...”. The draft supporting text in relation to Draft Policy EY02 fails to set out what constitutes a ‘designated employment area’ and ‘new employment space’. As previously mentioned in the representations set out in relation to Draft Policy ECY01 the Draft Local Plan fails to set out a definition for an ‘Area of Business Location’. The Draft Plan should be updated to provide clarity on the definitions of a designated employment area, new employment space and an ‘Area of Business Location’.

Draft Policy EY02 states that the 10% provision of affordable workspace should be calculated on the basis of 'gross new floorspace'. However, it would be more appropriate to calculate the provision on NIA (Net Internal Area) rather than GIA (Gross Internal Area) as the NIA better reflects the actual useable and lettable area of employment generating floorspace.

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.

Draft Policy EY02 and the supporting text should be modified to ensure that the provision of affordable workspace is only required where viable to address an identified local need to ensure the policy requirement is justified and effective in accordance with NPPF (2021) Paragraph 35 and the London Plan (2021).

We would request that Criteria A of Draft Policy EY02 is updated as followed:

"The Council will promote economic diversity and support existing and new business development in Barnet by requiring through legal agreement:

a) New employment space in the Borough's designated employment areas and mixed use development, in Brent Cross, Edgware, New Southgate and District Town Centres should provide affordable workspace, equating to a minimum of 10% of gross new employment floorspace (based on NIA), or equivalent cash-in-lieu payment for off-site provision of affordable workspace where viable".

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) X
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.

Draft Policy EY02 and the supporting text should be modified to ensure that the provision of affordable workspace is only required where viable. This is an important and technical matter that requires a discussion at the EiP. We wish to attend the EiP session in relation to Draft Policy EY02.

Declaration of consent

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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 Clarion Housing Group and the Huntingdon Foundation
Date 03/08/2021



Barnet Draft Local Plan
Publication Stage Representations Form

Ref:
(For official use only)

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: **TRC03** Paragraph Figure/Table **Table 23**

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 <input checked="" type="checkbox"/> |
| 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.

Response:

Draft Policy TRC03 is considered in unsound on the basis of NPPF (2021) Paragraph 35; on the basis it is not considered to be effective. Draft Policy TRC03 states that the Council will expect residential development to provide parking in accordance with Table 23. The supporting text in relation to Table 23 notes that a maximum standard of 0.5 vehicle spaces per dwelling will be allowed for developments within Opportunity Areas. The vehicle parking standard applicable to Opportunity Areas should be explicitly set out in Table 23 and the supporting text. The Draft Policy TRC03 and supporting text need to make it clear, to ensure soundness and be effective, that the parking standards set out in Table 23 are maximum standards and should not be exceeded to comply with the central aim of the NPPF (2021) and London Plan (2021) which seek to achieve sustainable development.

Draft Paragraph 11.12.5 states:

“Appropriate car club and visitor parking must be included in the overall parking figures for the relevant uses and not be additional to the number calculated as appropriate. The Council will seek appropriate car club parking ratios in locations with higher PTALs mainly in town centres and Growth Areas”.

No details on the ‘appropriate levels of car club and visitor parking’ are set out in the Draft Local Plan or Draft Policy TRC03. Draft Policy TRC03 states “g) spaces should be available for car club vehicle

parking along with car club membership for future residents of the development within the agreed car parking provision”.

The LB Barnet Car Parking Study (2019) and the LB Barnet Parking Standards Review Phase 4 Technical Note (2021) which form part of the evidence base for the Draft Local Plan fail to quantify an appropriate level of car club and visitor parking. We consider reference to car clubs and visitor parking should be omitted from the supporting text and Draft Policy TRC03. The reference is unjustified and unsound in the context of NPPF (2021) Paragraph 35; it is not based on proportionate evidence and cannot be effectively delivered.

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.

Draft Policy TRC03 should be updated to explicitly reference the residential vehicle parking standards set out in Table 23 are maximum standards and that a lower maximum standard will be applied in relation to site located within Opportunity Areas.

Draft Policy TRC03 (a) should be updated to state:

“New residential development must not exceed the maximum vehicle parking standards set out in Table 23. Lower maximum standards will be applied in relation to sites located within Opportunity Areas and Growth Areas (0.5 vehicle spaces per dwelling) ”.

Draft Policy TRC03 (g) should be omitted on the basis reference to car club vehicles is unjustified in the context of the supporting evidence base.

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.

Draft Policy TRC03 should be updated to explicitly reference the residential vehicle parking standards set out in Table 23 are maximum standards and that a lower maximum standard will be applied in relation to sites located within Opportunity Areas. We wish to attend the EiP session in relation to Draft Policy TRC03.

Declaration of consent

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Barnet Draft Local Plan
Publication Stage Representations Form

Ref:
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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 **CDH07** Paragraph **6.21.3 & 6.22.4** Figure/Table

Policies Map designation

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 checked="" type="checkbox"/> | No <input type="checkbox"/> |
| b) Sound | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| c) Compliant with the Duty to Co-operate | Yes <input checked="" 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.

Paragraph 6.21.3 of the supporting text of the Policy states "in tall buildings, where site constraints make it difficult to provide private outdoor open space that offers good amenity for all units, additional internal living space that is equivalent to the area of the private open space requirement will be expected as an integral part of the design". This part of the Local Plan is not sound in the context of NPPF (2021) Paragraph 35 as it is not measurable or effective; "where site constraints make it difficult to provide private outdoor open space that offers good amenity for all units" is considered to be too vague and unimplementable. The wording should be adjusted to give a clear and measurable metric.

Further, the Paragraph also states "residential development in areas of playspace deficiency **as well as those in areas with sufficient playspace** will normally be expected to make a contribution either on site or financially for playspace" (emphasis added). It is not considered justified to require a financial contribution in if policy compliant levels of playspace are provided as part of an application. This paragraph needs to be modified to be considered sound.

Policy CDH07 part iii. requires development proposals to provide a biodiversity net gain of "at least 10%" either within the development site or off site. This is not justified in the context of the Local Plan evidence base and is not consistent with National Policy. Paragraph 6.22.4 of the supporting text is incorrect in stating that this figure is required by the NPPF and London Plan. The footnote on page 386 states that this requirement is "subject to the enactment of the environment bill", and as there is no guarantee of the bill coming into law, the Policy cannot enforce this requirement and is unsound.

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.

The wording of Paragraph 6.21.3 should be adjusted as follows:

*“...In tall buildings **which fail to meet the external private amenity space standards, where site constraints make it difficult to provide private outdoor open space that offers good amenity for all units,** additional internal living space...”*

*“...residential development in areas of playspace deficiency as well as those in areas with sufficient playspace **which do not provide a policy compliant level of playspace on site** will normally be expected to make a contribution either on site or financially for playspace...”*

In order to be consistent with the requirements of the London Plan, Part iii. Of Draft Policy CDH07 should be adjusted as follows:

*“Provision is made for an appropriate level of new and existing wildlife habitat including tree and shrub planting to enhance biodiversity. There is no net loss of wildlife habitat and that there is a biodiversity net gain **of at least 10%**, either within the development site or off site and in accordance with Policy ECC06”*

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 wish to attend the EIP session in relation to Draft Policy CDH07 which needs to be modified to be considered sound in the context of NPPF (2021) Paragraph 35.

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Signature **Clarion Housing Group and the Huntingdon Foundation**
Date **03/08/2021**