



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: GSS07 Paragraph: para 3 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 checked="" 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.

A. The local plan annex states 80% of the 7.31 hectares, i.e. 5.85 hectares, of the site should be retained as undeveloped green belt.

B. The sales particulars for the site say that the western parcel is 38,565m² (i.e. 3.86 hectares) and the eastern parcel is 32,629m² (i.e. 3.26 hectares) totalling 71,194m² (7.12 hectares) [1,2]

C. The sales particulars for the site say that the undeveloped green belt on the western parcel is 38,064 m² (i.e. 3.81 hectares) and the eastern parcel is 28,058m² (i.e. 2.81 hectares) totalling 66,122m² (6.61 hectares), that is to say **92.88% of the current site is undeveloped green belt.** [1,2]

D. Systematised graphical analysis of the built areas of Barnet's site map gives a similar percentage - that is to say **91.4% of the site is undeveloped green belt** [3]

E. On the 16th March 2020 Debbie Jackson, GLA's Director for the Built Environment, wrote to Nick Lynch stating in relation to site 49 that "**Development should not extend beyond the existing footprint of the buildings** and should not impact the openness of the Green Belt"[4 (see page 11)] and "Draft Local Plan Policy GSS07 – Mill Hill East should make it explicit that Green Belt must not be developed, except on previously developed land." [4 (see page 3)]

F. Barnet responded "Agreed – GSS07 revised" and with regard to site 49 Barnet responded "Agreed. Proposal reflects this".[5]

G. However Barnet's responses were duplicitous (not duplicative) and non-cooperative because whilst paragraph 5 of GSS07 was revised, **paragraph 3 of GSS07 was not revised** to account for the reduction in the number of new residential units that could be delivered i.e. the figure of 547 needs to be revised downwards as it is based on the erroneous estimate of 224 units on site 49, which in turn is based on the erroneous calculation of 80% of the site being undeveloped green belt.

H. Note that planning application W03005AJ (September 1997) "Excavation to provide a hard surfaced tennis court and surrounding fencing" (and similar) does not constitute a building on the green belt such that a building could be erected on this part of the footprint.

[1] Source: <https://web.archive.org/web/20210725180220/https://ibsaproperty.com/properties/watchtower-house/> and <https://ibsaproperty.com/properties/watchtower-house/>

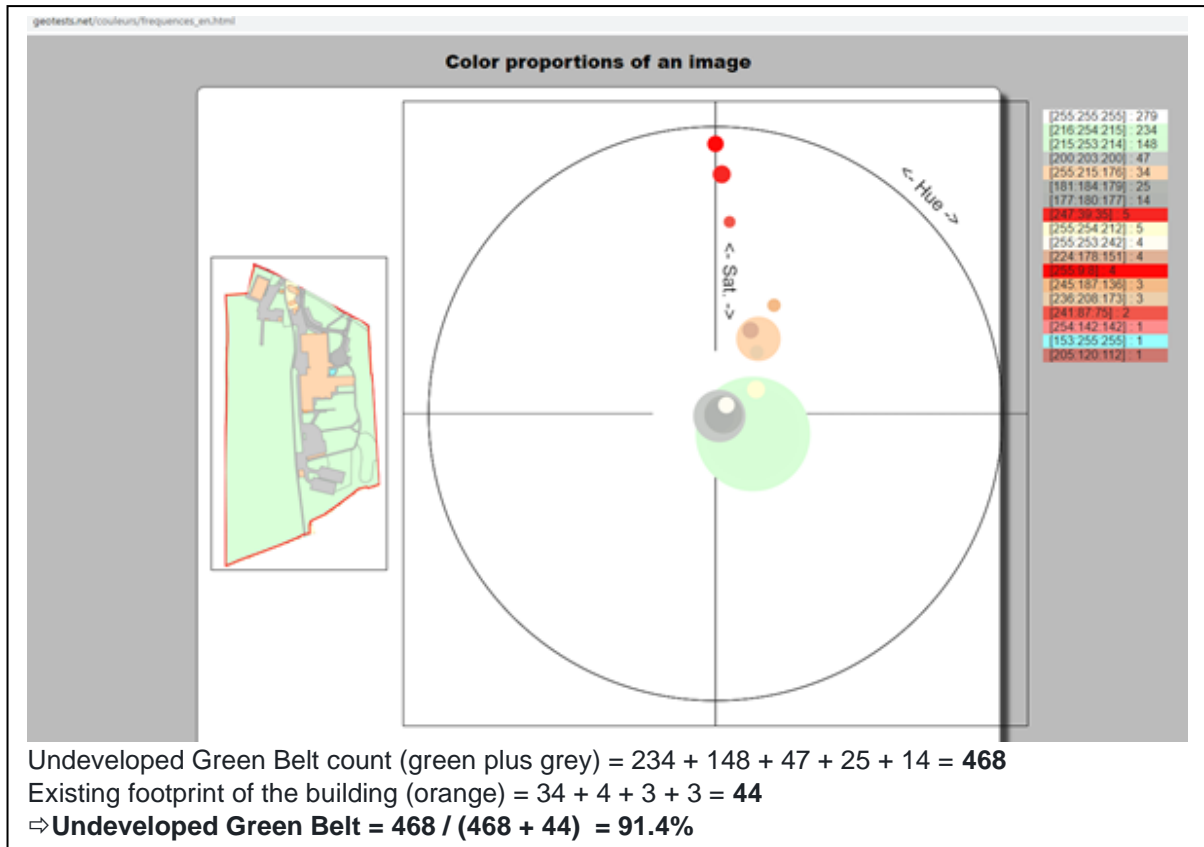
[2] Source: <https://web.archive.org/web/20210725180417/https://ibsaproperty.com/properties/conf-centre-and-open-field/> and <https://ibsaproperty.com/properties/conf-centre-and-open-field/>

[3] Source: Representation sent in relation to Reg 18 sent by Victor Montefiore on 15th March 2020 and illustrated overleaf

[4] Source: https://www.london.gov.uk/sites/default/files/PAWS/media_id_491869/Mayor%20Response%20Barnet%20Reg%2018%20final.pdf

[5] Source: <https://barnet.moderngov.co.uk/documents/s65265/Appendix%20B%20-%20Barnets%20Local%20Plan%20Schedule%20of%20Representations%20and%20Responses%20to%20Preferred%20Approach%20.pdf>

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.

A. The percentages in the statement "80% retained as undeveloped Green Belt with 18% residential and 2% community floorspace" in the annex for site 49 need recalculation based on Barnet's commitment to the GLA that "Development should not extend beyond the existing footprint of the buildings and should not impact the openness of the Green Belt" etc.

B. The 'Indicative residential capacity' in the annex for site 49 of 224 needs to be recalculated based on Barnet's commitment to the GLA that "Development should not extend beyond the existing footprint of the buildings and should not impact the openness of the Green Belt" etc.

C. The figure of 547 in paragraph 3 of Policy GSS07 "The Council will positively consider proposals on suitable sites to deliver further good suburban growth, including at Mill Hill East Station, Watchtower House and IBSA House, which together could deliver around 547 new homes" needs recalculation based on Barnet's commitment to the GLA that "Development should not extend beyond the existing **footprint of the buildings** and should not impact the openness of the Green Belt" etc.

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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

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.

My correspondence to my ward Councillor, Val Duschinsky sent May 12th, has been ignored – that is to say not even an acknowledgement of receipt of my correspondence.

Declaration of consent

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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 Victor Montefiore Date 5/08/2021



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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: GSS07 Paragraph: para 3 & para 5 Figure/Table: Map 3E Mill Hill East Area

Policies Map designation: Map 3E

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"/> |
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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.

A. The map overleaf shows (i) Mill Hill Conservation Area (bounded by the red line) and (ii) Green Belt (green vertical shading)

B. The map also shows (i) to the West of Mill Hill Conservation Area the urban sprawl and massing of the Sunnyfields Estate (ii) to the South of Mill Hill Conservation Area the urban sprawl and massing of the Poets Corner development and development south of Arrandene Open Space (iii) to the East of Mill Hill Conservation Area the urban sprawl and massing of Mill Hill East

C. NPPF 138 states "Green Belt serves five purposes: a) to check the unrestricted sprawl of large built-up areas; b) to prevent neighbouring towns merging into one another; c) to assist in safeguarding the countryside from encroachment; d) to preserve the setting and special character of historic towns; and e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land."

D. The inclusion of site 49 in Policy GSS07 Mill Hill East and Mill Hill East's designation as a '**Growth Area**' removes the restriction on the sprawl of the large built up area of Mill Hill East into Mill Hill Conservation Area and towards Mill Hill Village, and is therefore in direct conflict with NPPF 138 part a.

E. The inclusion of site 49 in Policy GSS07 Mill Hill East and Mill Hill East's designation as a '**Growth Area**' stops its safeguarding of Mill Hill's precious countryside from encroachment, and is therefore in direct conflict with NPPF 138 part c. Indeed the western parcel of site 49 is countryside - it is farmland and Kingdom Hall itself is on the site of the farm buildings "*Farm buildings were located on this site until the early 1990's and these buildings along with the open land stretching down the hill to the south served as a working farm, with dairy cows and chickens being resident.*" (see <https://ibsaproperty.com/properties/conf-centre-and-open-field/details/>) and should be designated Metropolitan Open Land.

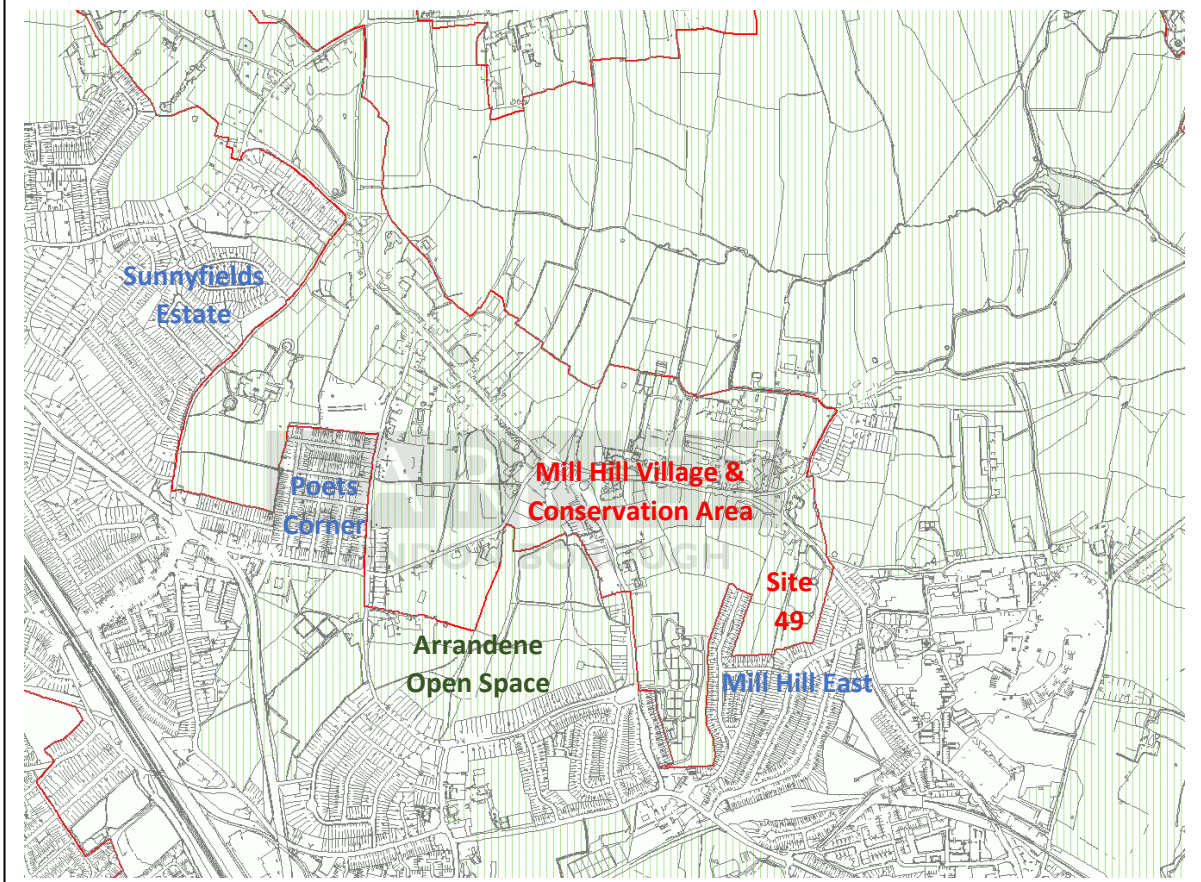
F. The inclusion of site 49 in Policy GSS07 Mill Hill East and Mill Hill East's designation as a '**Growth Area**' damages the setting of the historic town of Mill Hill Village (an 'Area of Archaeological Significance'), and is therefore in direct conflict with NPPF 138 part d.

G. The inclusion of site 49 in Policy GSS07 Mill Hill East and Mill Hill East's designation as a '**Growth Area**' removes the incentive for urban regeneration of Barnet's redundant office space and is therefore in direct conflict with NPPF 138 part e. Note that Barnet's 'call for sites' was prior to the pandemic (i.e. 'by 3 August 2018' per <https://www.barnet.gov.uk/planning-and-building/planning-policies/local-plan-review/call-sites>) and now much evidence is showing offices are not being occupied with pre-pandemic regularity and as such are ripe for residential development because of the work-from-home revolution (<https://www.cbre.co.uk/research-and-reports/UK-Will-Working-from-Home-Change-the-Central-London-Office-Market-March-2021> <https://www.jll.co.uk/en/trends-and-insights/cities/how-post-pandemic-living-will-redefine-uk-real-estate> <https://www.architectsjournal.co.uk/news/city-of-london-looks-to-turn-empty-offices-into-homes>).

H. Note that points D-F above are true regardless of the of the fact that the site was formerly identified in the UDP as a Major Developed Site against the old PPG.

Continue on a separate sheet if necessary

Part of response to Question 3: map showing (i) Mill Hill Conservation Area (bounded by the red line) and (ii) Green Belt (green vertical shading)



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A. GSS07 paragraph 3 should state "The Council will positively consider proposals on suitable sites to deliver further good suburban growth, including at Mill Hill East Station and IBSA House, which together could deliver around 324 new homes" where 324 is the sum of the indicative residential capacity for remaining sites 46 (197) and 47 (127)

B. Removal of paragraph 5 given that site 49 (Watch Tower House [including Kingdom Hall]) is designated green belt to protect Mill Hill Village from the urban sprawl of Mill Hill East.

C. Removal of site 49 from Map 3E Mill Hill East Growth Area

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Policy: Annex 1 Paragraph: Site 49 Figure/Table: N/A

Policies Map designation: N/A

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- | | | |
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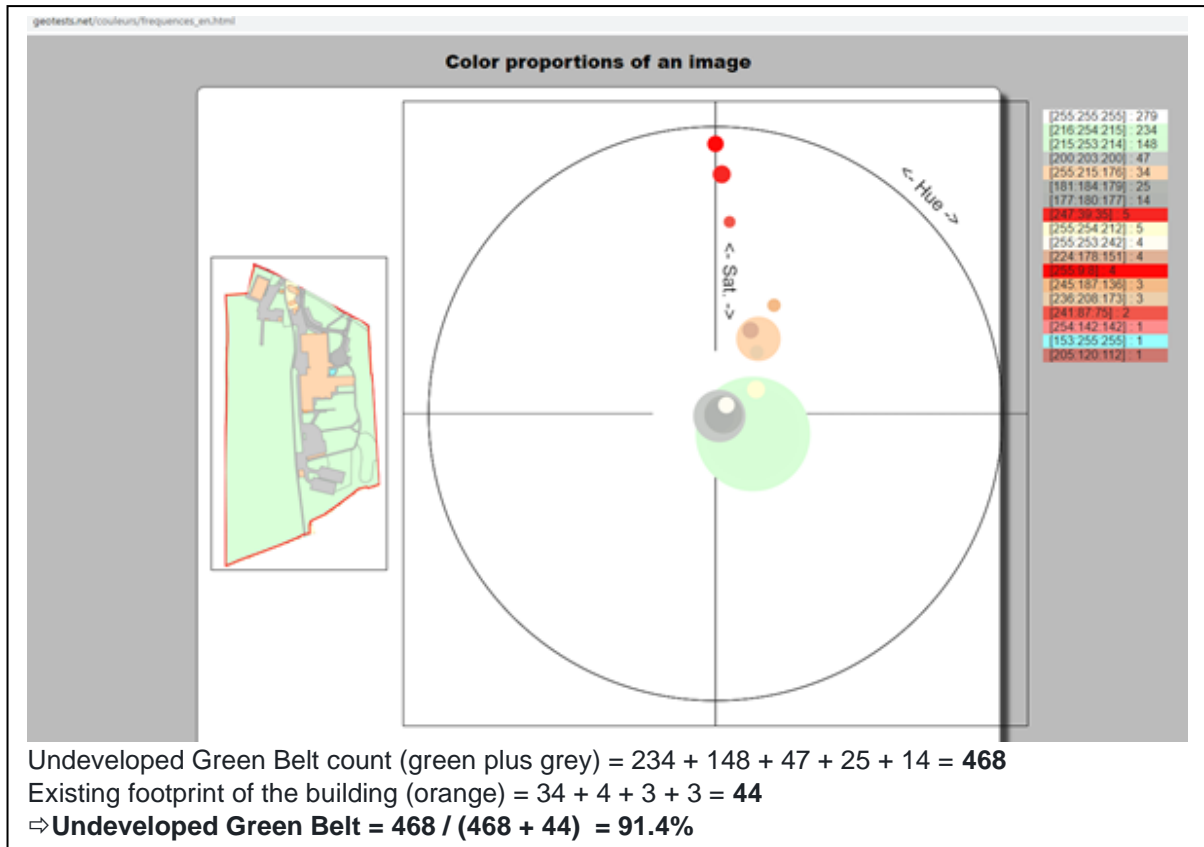
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