



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 _(related GSS07)_____ Paragraph **Site No. 49** Figure/Table _____

Policies Map designation ___(related maps 2 and 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 checked="" 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.

1. The proposal for Green Belt and Conservation Area Site No. 49 Watch Tower House & Kingdom Hall is not legally compliant with The London Plan of March 2021.

The proposal to include Green Belt Site 49 in the Mill Hill East Growth Area, and so increase the residential units from the current 85 in Watch Tower House (none in Kingdom Hall) to an indicative capacity of 224, is contrary to The London Plan as follows:

- Policy **G2** (Green Belt) paragraph A1: “development proposals that would harm the Green Belt should be refused except where very special circumstances exist”
- Paragraph **8.2.1**: “The Mayor strongly supports the continued protection of London’s Green Belt.”
- Paragraph **8.2.2**: “Openness and permanence are essential characteristics of the Green Belt”
- Policy **G6** (Biodiversity) paragraphs A, B1 and B3:
A: “Sites of Importance for Nature Conservation (SINCs) should be protected”, relevant because Site 49 is contiguous with the Drivers Hill SINC.
B1: “... identify SINCs and ecological corridors to identify coherent ecological networks”, relevant because there is an ecological corridor from Drivers Hill through site 49 to adjacent gardens in Bittacy Park Avenue and Engel Park.

- Policy G6 (continued):
B3: “... support the protection and conservation of priority species”, relevant at the least to badgers photographed in Bittacy Park Avenue gardens, and barn owls.
- Policy **G7** (Trees and Woodlands) paragraph A: “woodlands should be protected”, relevant because the Jehovah’s Witnesses were allowed to replace publicly accessible woodland with a spacious garden for Watch Tower House, albeit constrained by Tree Preservation Order TRE/HE/6 dated 1953.

In summary, in the 1950’s, Watch Tower House replaced the single residential unit of Bittacy House, and now to include this Green Belt site in the Mill Hill East Growth Area and propose a further almost tripling of residential units from 85 to 224 is to effectively propose its continued destruction by obviously large steps, even though, at public presentations I have twice been told “we don’t intend to extend the footprint.”

2. The proposal for Green Belt and Conservation Area Site No. 49 Watch Tower House & Kingdom Hall is unsound with respect to the NPPF of July 2021.

The proposal to include Green Belt Site 49 in the Mill Hill East Growth Area, and so increase the residential units from the current 85 in Watch Tower House (none in Kingdom Hall) to an indicative capacity of 224, is contrary to the NPPF as follows:

- **Chapter 12** (Good Design), paragraph **127:** “... Design policies should be developed with local communities so they reflect local aspirations, and are grounded in an understanding and evaluation of each area’s defining characteristics”, relevant because all the owners of neighbouring properties strongly object to the proposed huge increase in housing in a site with defining characteristic of Green Belt in a Conservation Area.
- **Chapter 13** (Protecting Green Belt), paragraphs 137, 138, 140, 147 and 149:
137: “The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.”
138: “Green Belt serves five purposes:”
 - a) “to check the unrestricted sprawl of large built-up areas”, in this case the sprawl of Mill Hill East into the Green Belt and Mill Hill Conservation Area.
 - d) “to preserve the setting and special character of historic towns”, in this case the Conservation Area of historic Mill Hill Village.**140:** “... Green Belt boundaries, having regard to their intended permanence in the long term, so they can endure beyond the plan period”, but this proposal obviously continues to dismantle the site’s Green Belt status.
147: “Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.”
149: “A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are:
 - c) “the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building”

149 (continued):

d) “the replacement of a building, provided the new building is ... not materially larger than the one it replaces;

- **Chapter 15** (Natural Environment) paragraph **174a**: “protecting and enhancing valued landscapes, sites of biodiversity ... (in a manner commensurate with their statutory status or identified quality in the development plan)”, in this case Green Belt, Conservation Area, and contiguity with a SINC.
- **Chapter 16** (Conserving ... Historic Environment) paragraph **189**: “Heritage assets range from sites ... of local historic value. ... These assets are an irreplaceable resource, and should be conserved”. This Green Belt, Conservation Area, and green corridor to the Drivers Hill SINC are heritage assets of local historic value.

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.

Site No. 49. The following changes solve the problems explained under Question 3:

- Remove “Mill Hill Growth Area” from the title, as Green Belt and Growth Area are diametrically opposed. Site 49 can be more sensitively dealt with outside the Growth Area.
- Remove “Major Developed Site in the Green Belt (UDP 2006)” from the Planning Designation as this in itself cannot justify almost tripling the indicative residential capacity.
- Adjust the indicative residential capacity down to one which does not extend the footprint, scale, massing and roof height beyond the existing building.

For consistency, corresponding adjustments will also be needed in:

- Map 2 Key Diagram: remove the growth area orange colouring from Site 49 (just left of the words Mill Hill East) to leave it purely green to indicate unambiguous Green Belt.
- Map 3E Mill Hill East Area: remove site 49 from this Growth Area map.
- Policy GSS07: remove the semi-rural site “Watchtower House” from the paragraph 3 list of sites for suburban growth.

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.

I am willing to participate in a hearing session if it will help me to convey to the Inspector the passionate objections to the proposal for Site 49 shared by so many neighbours.

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.

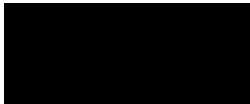
Your details will be kept in accordance with the Council's Privacy Notice, until the Local Plan is adopted plus a further five years to evidence that a fair and transparent process has been followed. Processing is kept to a minimum and data will only be processed in accordance with the law. We will take 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 9 August 2021