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# **Barnet Draft Local Plan Initial Response to Regulation 19 Representations May 2022**

This Statement sets out the Council's initial response to the summary of main issues to each policy raised in the representations made at Regulation 19 and any action intended as a result.

## Regulation 19 Summary of the main issues raised in responses, and views expressed in relation to soundness, legal compliance or the duty to cooperate when preparing the plan.

*This represents LBB officer summaries of the key representations made on the policies and proposals within the Reg 19 Local Plan. Reference should be made to full representations for complete text and context in which the summarised representation was made.*

Chapter / policy	Main issues raised
<b>BARNET'S VISION &amp; OBJECTIVES</b>	
<b>Policy BSS01 : Spatial Strategy for Barnet</b>	<p><b>Council's strategy unsound as it is not positively prepared, justified, effective or consistent with national policy</b></p> <ol style="list-style-type: none"> <li>1. Council's strategy does not explain the London Plan capacity constrained housing requirement beyond 2029 in years 10 to 15 of the Local Plan.</li> <li>2. Plan's approach to housing supply does not positively support contribution of small sites.</li> <li>3. Plan's 15 year timeframe from adoption is not consistent with NPPF para 22.</li> <li>4. Housing target should reflect Barnet's objectively assessed need which is greater than London Plan housing requirement.</li> <li>5. Retail floorspace figure is not justified given nationwide evidence of declining demand.</li> <li>6. Plan's approach fails to prioritise previously developed land.</li> <li>7. Council should be assessing potential of the Green Belt to deliver higher levels of growth to address unmet need.</li> <li>8. Policy should clarify that the design-led approach should also be used to maximise the development potential of sites and make the best use of land.</li> <li>9. Plan's identification of a Sport and Recreation Hub in Green Belt is not justified by very special circumstances.</li> </ol> <p><b>Non Compliance with Duty to Cooperate</b></p> <ol style="list-style-type: none"> <li>10. Plan's reduction in housing target increases housing pressures on Hertsmere.</li> </ol> <p><b>Council's strategy is justified</b></p> <ol style="list-style-type: none"> <li>11. Plan is projecting forward the capacity-constrained figure of 2,364 net additional homes a year to support a 15-year plan, in line with the requirement of the NPPF.</li> <li>12. Plan recognises the significant development potential of the Borough through identification of Opportunity Areas and Growth Areas.</li> <li>13. Plan highlights a supply of 46,000 new homes in meeting objectively assessed need against a housing requirement of 35,460 new homes.</li> </ol>
<b>LBB Response &amp; Action</b>	<ol style="list-style-type: none"> <li>1. Para 0.0.21 of the London Plan 2021 (Core_Gen_16) sets out that boroughs do not need to revisit the housing targets set by the Mayor. In addition to this para: 013 Reference ID: 2a-013-20201216 of the Planning Practice Guidance is clear that where a spatial development strategy (in this case the LP2021) has been published, local planning authorities should use the local housing need figure in the spatial development strategy and should not seek to revisit their local housing need</li> </ol>

	<p>figure when preparing new strategic or non-strategic policies. As stated in para 4.1.11 of the London Plan, in terms of a target beyond 2028/29, boroughs should draw on the 2017 SHLAA (EB_H_02) findings (which cover the plan period to 2041) and any local evidence of identified capacity, in consultation with the GLA, and should take into account any additional capacity that could be delivered as a result of any committed transport infrastructure improvements, and roll forward housing capacity assumptions. Growth and Spatial Strategy Chapter of the new Local Plan (Core_01), section 4.4, details Barnet's housing growth requirements. The evidence for establishing housing growth is presented and assessed. The housing target used is that set out in the London Plan (2021). This approach was endorsed during an Inspector's informal advisory visit and discussion in April 2021. The supply of housing demonstrated through the Local Plan (46,000 homes) provides a sufficient buffer against the requirement of 35,460 new homes.</p> <ol style="list-style-type: none"> <li>2. The Local Plan's approach to small sites is positive. The Plan shows small sites delivery of 340 homes per year, which although below the London Plan 2021 target of 434 new homes, is based on historic delivery from small sites. However, as most small sites come forward as windfall, the process of identifying and assessing such a large number of sites is not considered practical and therefore the approach adopted in Barnet is that small sites are managed through the development management process. The Mayor of London supports the Council's intention to prepare a specific Design Code for Small Sites as part of the forthcoming Sustainable Design and Development Guidance SPD. Through the use of a specific Design Code for Small Sites a suite of clear and specific design parameters for development will be established. Such parameters will respond to the context provided by Barnet's Characterisation Study (EB_DH_01).</li> <li>3. NPPF (para 22) states that strategic policies should look ahead over at least a 15 year period from adoption. The Council started a full review of the Local Plan in 2016 with the intention of planning for at least 20 years ahead, seeking to at least identify potential significant site proposals, directions of travel for the future of Barnet. This would ensure that in the longer term sustained delivery of housing and supporting infrastructure would be more achievable. The evidence base was commissioned on this basis. In March 2020, the Government set a deadline of December 2023 for all authorities to have up-to-date Local Plans in place.</li> <li>4. The Local Plan (Core_01) housing target was lowered between Reg 18 (Core_07), and Reg 19 (Core_01) from 46,000 new homes (3,060 per annum) by 2036 to 35,460 new homes (2,364 per annum). The 46,000 target (3,060 per annum) in the Reg 18 matched the Full Objectively Assessed Need (OAN) for housing in Barnet as identified by the Barnet SHMA (EB_H_05). It also largely reflected the draft London Plan target (Dec. 2017) of 47,000 (3,134 per annum). Following EIP the London Plan housing target was reduced. The London Plan (published in March 2021) (Core_Gen_16) sets a target figure for Barnet of 23,640 net housing completions for the ten year period up until 2028/29. The Council identified this as a minimum target in the Reg 19. The policies and proposals in the Reg 18 Local Plan have been carried forward into the Reg 19. There has been no strategic change to the planning framework within the Local Plan. Barnet therefore proposes to meet the London Plan target of 35,460 new homes over the Plan Period up to 2036, while providing a supply of sites for up to 46,000 new homes. Table 5 of the Local Plan sets out new homes delivery, indicating where and when the 46,000 homes will be delivered.</li> <li>5. The Council acknowledges that the retail sector remains in a state of flux and, without new evidence, there is little merit in</li> </ol>
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	<p>setting boroughwide retail targets. However, the reference to retail provision is based on an extant planning consent for a comprehensive regeneration scheme at Brent Cross that will deliver a major retail and leisure destination for North London.</p> <ol style="list-style-type: none"> <li>6. The Plan clearly does prioritise the use of previously developed land, seeking to concentrate growth in the most sustainable locations – Barnet’s Growth Areas, District Town Centres and New Southgate Opportunity Area.</li> <li>7. As highlighted above, Barnet can demonstrate a supply of 46,000 new homes against the London Plan target of 35,460 new homes up to 2036. The Plan does not require the release any Green Belt to meet its growth needs during the Plan Period.</li> <li>8. The Plan follows a design-led approach to optimise capacity.</li> <li>9. The Council considers that there is policy support for the provision of appropriate facilities as part of the proposals for three Sports and Recreation Hubs. Further details are set out in the Parks and Recreation Technical Paper (EXAM 1E). These proposals are in connection with the existing use of land for outdoor sport and recreation and therefore do not constitute inappropriate development. This is in accordance with NPPF para 149b. <b>ACTION The Council intends to make a Proposed Modification to GSS13 and supporting text specifying the Hubs and clarifying the nature, use and scale of and new buildings.</b></li> <li>10. The Council is making progress with a Statement of Common Ground (SCG) with Hertsmere and Hertfordshire County Council which demonstrates how we are meeting the Duty to Co-operate. The emerging SCG refers to Hertsmere pausing the progress of their Local Plan while they revisit their Growth Strategy.</li> </ol>
<b>GROWTH &amp; SPATIAL STRATEGY</b>	
<p><b>Policy GSS01 : Delivering Sustainable Growth</b></p>	<p><b>Council’s strategy unsound as it is not positively prepared, justified, effective or consistent with national policy</b></p> <ol style="list-style-type: none"> <li>1. Plan needs clarification with regard to terminology of Opportunity Area and Growth Area</li> <li>2. Plan’s allocation for small sites is only theoretical supply – it is a windfall figure. This is contrary to the thrust of national and London Plan policy, which requires local authorities to adopt more active measures to identify and allocate small sites of 0.25ha in size or less, especially where these are within 800m of the town centre boundary.</li> <li>3. Plan is over reliant on large and complex urban regeneration sites.</li> <li>4. Plan’s approach to meeting identified [industrial need] through intensification and windfall is an unrealistic strategy.</li> <li>5. Plan should take a flexible and more positive approach to density with considering comprehensive redevelopment proposals, with optimum density resulting from a design-led approach.</li> <li>6. Plan should express housing figures for each location as a minimum in the same manner as the overall housing target in order to retain flexibility in the policy, maximise development potential and encourage the most efficient use of land.</li> <li>7. Plan unclear with supply of 46,000 new homes by 2036 (in Table 5) against minimum target of 35,460 (BSS01) and appears to be aimed at accommodating far more people than projected population growth.</li> <li>8. Plan needs to clearly define boundaries of New Southgate Opportunity Area to provide certainty on the amount of development that can be delivered.</li> <li>9. Plan over relies on small windfall sites to meet housing targets, whilst underestimating the number of homes that could come</li> </ol>

	<p>forward within accessible and sustainable sites located in district town centres.</p> <ol style="list-style-type: none"> <li>10. Plan requires a clear balance between housing and employment land and must ensure that job creation is included as a key component of sustainable growth.</li> <li>11. Plan requires clarification with regard to application of flood risk Sequential Test to spatial strategy and site allocations</li> <li>12. Plan should ensure a variety of sites are identified within the Draft Local Plan, that are able to provide a variety of different types of housing.</li> <li>13. Plan does not include a specific policy on “Other Large Sites” nor does it provide criteria or define what constitutes an “Other Large Site”.</li> <li>14. Plan should support active travel and utilise the Strategic Walking network in making linkages with proposals. <b>Council’s strategy is justified</b></li> <li>15. Plan’s target of 2,364 net new homes a year (or 35,460 over the plan period) is considered the minimum required against Council’s own local assessment of need.</li> <li>16. Council is in a relatively strong position as it can identify theoretical capacity for 46,000 homes compared to a local plan requirement for 35,460.</li> <li>17. Plan sets out general presumption of brownfield first approach to delivering sustainable growth by focusing development within growth areas, district town centres and around transport hubs.</li> <li>18. Plan is supported by the Infrastructure Delivery Plan (IDP) which identifies Barnet’s infrastructure needs comprehensively while highlighting some uncertainties around funding from Government departments that may affect how planning for future provision is considered.</li> <li>19. Table 5 has been updated to identify housing supply in each of the six Growth Areas. This helps support the CCG’s work with the Council to review healthcare infrastructure requirements in the Growth Areas, particularly Edgware Town Centre and Cricklewood.</li> </ol>
<p><b>LBB Response &amp; Action</b></p>	<ol style="list-style-type: none"> <li>1. The Council agrees that there is an element of ambiguity with regard to the terminology around Opportunity Areas and Growth Areas. <b>ACTION - The Council intends to resolve this through a series of proposed modifications to the Local Plan. This includes revisions to the Key Diagram illustrating the boundaries of Opportunity Areas more clearly in order to show how they relate to the Growth Areas.</b></li> <li>2. See response at BSS01 (2).</li> <li>3. Brent Cross regeneration is the largest and most complex scheme in Barnet. It is expected to take over 20 years to deliver and will need to deal with changes in economic and market conditions over this time. A policy framework is set out at GSS02 for the Brent Cross Growth Area that enables the Council to respond to change in the long-term. The Local Plan takes a much broader approach to growth supporting opportunities in town centres and places with good sustainable transport options as well as regeneration areas and housing estates.</li> <li>4. Barnet’s designated Locally Significant Industrial Sites (LSIS) are the focus for employment focussed development, where industrial land uses will continue to make a valuable contribution to the local economy. In addition to safeguarding employment land the Council will consider proposals outside of LSIS that will contribute to a vibrant local economy.</li> </ol>

	<ol style="list-style-type: none"> <li>5. See response at BSS01(8)</li> <li>6. Barnet has been set a minimum housing delivery target of 35,460 new homes through the London Plan. This is clearly stated in BSS01.</li> <li>7. Barnet proposes to meet the London Plan target of 35,460 new homes over the Plan Period up to 2036, while providing a supply of sites for up to 46,000 new homes which is the Objectively Assessed Need as calculated by the SHMA.</li> <li>8. New Southgate Opportunity Area is highlighted in the London Plan. The boundaries of the Opportunity Area have not been formally defined but they will cross into LB Enfield and LB Haringey. The Council will be working with these adjoining boroughs and the GLA on creating an area planning framework which will be subject to public consultation. Our approach is confirmed in Statements of Common Ground with both boroughs (EB_SoCG_03) (EB_SoCG_04).</li> <li>9. See response at BSS01 (2). The Plan shows small sites delivery of 340 homes per year, which although below the London Plan 2021 target of 434 new homes, is based on historic delivery from small sites.</li> <li>10. In addition to the jobs created at Brent Cross, more employment will be provided by making space for commercial, business and service uses in Growth Areas and Town Centres as well as safeguarded employment land.</li> <li>11. The Plan is supported by a Sequential and Exceptions Test (EB_GI_18). The Test has been agreed with the Environment Agency (EA) and forms part of the Examination Library. The Plan has been updated to make reference to this new evidence. <b>ACTION - Council will add new supporting text to Policy BSS01 to explain how the Sequential Test has influenced the Spatial Strategy.</b></li> <li>12. Through the Authorities Monitoring Report (AMR) the Council will set out progress on 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.</li> <li>13. Large sites are defined in the Glossary. Other Large Sites within the Schedule of Proposals are those that meet this definition and are not highlighted as other designations in GSS01.</li> <li>14. Policy TRC01 covers Sustainable and Active Travel and sets out how initiatives to improve walking will be required from major development. The Healthy Streets Approach forms a key component of the Local Plan and is highlighted in a number of policies including CHW02 which states that we will apply the Healthy Streets Approach to support the health and wellbeing of our residents.</li> </ol>
<p><b>Policy GSS02 : Brent Cross Growth Area</b></p>	<p><b>Council's strategy unsound as it is not positively prepared, justified, effective or consistent with national policy</b></p> <ol style="list-style-type: none"> <li>1. Plan should reflect structural changes to the retail sector. This calls into question the appropriateness of a retail-led redevelopment at Brent Cross North.</li> <li>2. Plan wording should refer to the relevant package of mitigation measures being determined on a case- by-case basis having regard to the tests of Regulation 122 rather than presumption that new/revised applications will be required to contribute towards retrospective costs.</li> <li>3. Plan should reference unique opportunities of Brent Cross Growth Area. In particular, a location where site optimisation is supported. This includes suitability as a location for Build to Rent as well as being appropriate for tall buildings.</li> <li>4. Plan implies that each development proposal in the Growth Area must meet all of the criteria listed, but some of the criteria will</li> </ol>

	<p>not be applicable to all proposals.  <b>Council's strategy is justified</b></p> <ol style="list-style-type: none"> <li>5. Plan supports the proposal to make walking and cycling the priority modes of transport in Brent Cross Town. This should be the default for all Growth Areas in the Borough.</li> <li>6. Plan enables flexibility and correctly emphasises the need for coordination in the delivery of strategic parts of identified Growth Areas.</li> <li>7. Plan sets out a long-term strategy for the Brent Cross Growth Area, including how it can support the creation of a new Metropolitan Town Centre at Brent Cross Town.</li> <li>8. Plan sets out Council's commitment to delivering Healthy Streets in Brent Cross Growth Area.</li> </ol>
<p><b>LBB Response &amp; Action</b></p>	<ol style="list-style-type: none"> <li>1. Brent Cross is a sub-regional destination attracting people for leisure and retail activities. The Plan reflects the extant consent for 55,000m2 at Brent Cross. The Council considers that Policy GSS02 is flexible with regard to this long term regeneration scheme. It has signalled its intention to review the 2005 Development Framework (Core_Gen_12) to reflect the updates to the masterplan and respond to changed circumstances around the Brent Cross Shopping Centre.</li> <li>2. The Council agrees to delete the para on retrospective costs from GSS02 and clarify the approach to infrastructure delivery.  <b>ACTION The Council intend to make a Proposed Modification to GSS02 and supporting text to clearly set out the approach to infrastructure delivery in Brent Cross.</b></li> <li>3. The Plan follows a design-led approach to optimise capacity. This is clearly stated in GSS01. The Local Plan's approach to Build to Rent is clearly set out in Policy HOU06 and the role of the Brent Cross Growth Area in delivering it is highlighted in the supporting text.</li> <li>4. The Council agrees to clarify what proposals within Brent Cross Growth Area are expected to contribute to. This includes helping to ensure the restoration and enhancement of the River Brent. <b>ACTION The Council intend to make a Proposed Modification to GSS02 in terms of requirements from development proposals.</b></li> </ol>
<p><b>Policy GSS03 : Brent Cross West Growth Area</b></p>	<p><b>Council's strategy unsound as it is not positively prepared, justified, effective or consistent with national policy</b></p> <ol style="list-style-type: none"> <li>1. Plan needs greater flexibility in terms of the level of development acceptable, as well as how infrastructure will be delivered.</li> </ol> <p><b>Council's strategy is justified</b></p> <ol style="list-style-type: none"> <li>2. Plan sets out support for new and improved pedestrian and cycle routes to the new Brent Cross West. Safe cycling routes across the A5 and North Circular are vital to connect the Borough</li> <li>3. Plan requires contributions towards both new and improved active travel routes to Brent Cross West station, as well as improved interchange, onward travel facilities and public realm outside the station.</li> </ol>
<p><b>LBB Response &amp; Action</b></p>	<ol style="list-style-type: none"> <li>1. The Council together with LB Brent shares the desire for joint-working to develop plans for growth and ensure that the potential for a co-ordinated masterplan for the area is fully explored. It is agreed between the two boroughs that all developments on sites within the Brent Cross West Growth Area and the adjoining Staples Corner Growth Area will be expected to contribute</li> </ol>



	<p>proportionately towards the cost of delivering the infrastructure improvements necessary to support this growth. LB Barnet will work with LB Brent and Transport for London to agree a scheme for improving the Staples Corner junction. This is reflected in the Statement of Common Ground with LB Brent (EB_SoCG_01).</p>
<p><b>Policy GSS04 : Cricklewood Growth Area</b></p>	<p><b>Council’s strategy unsound as it is not positively prepared, justified, effective or consistent with national policy</b></p> <ol style="list-style-type: none"> <li>1. Plan’s stated objective of drawing upon the legacy of Raymond Unwin contradicts intensification of housing in this area.</li> <li>2. Plan’s approach on new homes means that valuable local amenities such as health clinic, supermarket, historic pub (Lucky 7) cannot coexist with enormous number of new homes and tall buildings proposed.</li> <li>3. Plan should (as in GSS03) seek contributions towards new/improved active travel routes to Cricklewood station, as well as improved interchange, onward travel facilities and public realm outside Cricklewood station.</li> </ol>
<p><b>LBB Response &amp; Action</b></p>	<ol style="list-style-type: none"> <li>1. As highlighted in the Local Plan, the Borough can draw upon the legacy of Raymond Unwin in responding to the challenges of growth in the 21st Century. It does not contradict good growth.</li> <li>2. Policy CDH01 ensures consistency on design across the Borough by making sure that all developments are underpinned by sustainable good growth with positive development outcomes, in terms of enhancing character, high quality design and appropriate amenity.</li> <li>3. GSS04 seeks improvements to the amenity of the area and overall offer. The Council agrees to make this more explicit.  <b>ACTION The Council intend to make a Proposed Modification to GSS04 in order to seek contributions towards new/improved active travel routes to Cricklewood station, as well as improvements to the interchange, onward travel facilities and public realm outside Cricklewood station.</b></li> </ol>
<p><b>Policy GSS05 : Edgware Growth Area</b></p>	<p><b>Council’s strategy unsound as it is not positively prepared, justified, effective or consistent with national policy</b></p> <ol style="list-style-type: none"> <li>1. Policy is unsound as it’s not positively prepared in that it is not meeting area’s objectively assessed needs and achieving sustainable development in terms of reducing flood risk from all sources, river restoration and enhancement and the improvement of or planning contributions towards strategic flood infrastructure where necessary.</li> <li>2. Policy should clarify expectations from proposals in and around the town centre in terms of contributing towards these improvements, such as cycle parking, station cycle parking, and Healthy Streets improvements.</li> <li>3. Plan should focus first on reducing inefficient uses of land, such as car parking before regeneration of the town centre that involves transport land consolidations.</li> <li>4. Plan’s use of percentage figures in the site allocations is overly prescriptive and may constrain housing delivery particularly as the quantum is expressed as a proportion of floorspace</li> <li>5. Plan should extend the boundary of the Growth Area to include edge-of-centre locations, including 360 Burnt Oak Broadway which represent additional growth opportunities.</li> <li>6. Policy should express housing target as a minimum.</li> <li>7. Policy needs commitments for safe cycle routes and cycle storage within the area to reduce congestion and improve the pedestrian experience.</li> </ol>

	<p><b>Council's strategy is justified</b></p> <ol style="list-style-type: none"> <li>8. Policy will help improve transport interchanges and the public realm in Edgware through new development</li> <li>9. Council's strategy will support planning proposals that optimise residential density on suitable sites while delivering improvements to the amenity of the area within Barnet's only Major town centre.</li> <li>10. Council's strategy reflects that Edgware is an important, sustainable location with the infrastructure to support the provision of new housing.</li> </ol>
<p><b>LBB Response &amp; Action</b></p>	<ol style="list-style-type: none"> <li>1. The Council agrees to revise GSS05 and incorporate proposed wording from Environment Agency on the context for managing flood risk around the Growth Area. LBB also agrees to incorporate the strategic principles within supporting text for GSS05 as proposed by the EA. <b>ACTION The Council intend to make a Proposed Modification to GSS05 and supporting text with regards to flood risk.</b></li> <li>2. The Council agrees the need to deliver improvements to streets and the public realm in line with the Healthy Streets Approach, including additional town centre cycle parking and station cycle parking. <b>ACTION The Council intend to make a Proposed Modification to GSS05 and supporting text with regards to cycle parking.</b></li> <li>3. An objective of the new SPD (EB_E_21) is comprehensive regeneration of key sites that will support the town centre and deliver much needed new homes to a well-connected location. This includes the efficient use of space for car parking, utilising approaches such as multi-storey, basement or podium parking.</li> <li>4. The Council has reconsidered the 'Proposed Uses' section of Site Proposals in Annex 1, particularly in relation the use of floorspace percentages. Through doing so the Council is seeking to express the uses more flexibly. <b>ACTION The Council intend to make a series of Proposed Modifications to Proposals Sites in Annex 1 - removing the reference to percentages and instead relying upon a descriptive approach.</b></li> <li>5. The site at 360 Burnt Oak Broadway is located on a Major Thoroughfare. Boundaries for the Edgware Growth Area have been established through the production of the Edgware SPD (EB_E_21).</li> <li>6. See response at GSS01(6).</li> <li>7. Improving the pedestrian experience is supported by GSS05. As is expressed in more detail through the Edgware Growth Area SPD cyclists experience should be improved as well. This should therefore be supported in GSS05. <b>ACTION The Council intend to make a Proposed Modification to GSS05 with regard to cyclists.</b></li> </ol>
<p><b>Policy GSS06 : Colindale Growth Area</b></p>	<p><b>Council's strategy unsound as it is not positively prepared, justified, effective or consistent with national policy</b></p> <ol style="list-style-type: none"> <li>1. Plan's proposal for a pedestrian and cycle route will encroach on wild-life habitat on and around the Silkstream River.</li> <li>2. Plan's proposal to build 128 residential units on this strip of woodland does not meet needs of local community and destroys a comprehensively wooded area, with a mixture of long established planted and self-seeded trees, bushes and undergrowth. Tree removal will increase flood risk.</li> <li>3. Plan is not positively prepared in that by not including appropriate reference to strategic flood infrastructure and river restoration, it is not meeting the area's objectively assessed needs and achieving sustainable development</li> </ol>

	<ol style="list-style-type: none"> <li>4. Plan inaccurately refers to a “<i>new station</i>”. The improvements will consist of a new ticket hall building as the platforms and much of the station infrastructure below ticket hall level will remain</li> <li>5. Plan fails to take account of changing circumstances and new opportunities presented beyond the existing document and Colindale AAP (CAAP). Grahame Park Way, and Avion Crescent in particular, are overlooked within CAAP</li> <li>6. Plan is over-reliant on specific large and complex urban regeneration sites such as Colindale Gardens, Colindale Underground Station and the Public Health England.</li> <li>7. Plan’s use of indicative capacity is based on rigid application of a density matrix. 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.</li> <li>8. Policy’s commitment to Healthy Streets should be the default for all parts of the Borough. Pedestrian and Cycle Routes should be built to LTN1/20 standards. <b>Council’s strategy is justified</b></li> <li>9. Plan will deliver a cycle path linking Colindale and Rushgrove Parks. This would have a positive and beneficial effect for the community.</li> <li>10. Council’s general ambitions for growth within the Colindale Growth Area and improving Colindale Underground station with the help of developer contributions is supported.</li> </ol>
<p><b>LBB Response &amp; Action</b></p>	<ol style="list-style-type: none"> <li>1. The route is not defined in the Local Plan. The Council will ensure that impact on biodiversity is a key consideration of proposals for such a route.</li> <li>2. Proposal Site 9 – Colindeep Lane. The Council considers that site access is difficult and there is concern over entry and exit to the site during flood events, particularly when the effects of climate change are taken into account. The Council have therefore agreed with the Environment Agency to remove this site from the Local Plan. <b>ACTION The Council intends to remove Site 9 through a Proposed Modification.</b></li> <li>3. The Council agrees to revise GSS06 and incorporate proposed wording from Environment Agency on the context for managing flood risk around the Growth Area. LBB also agrees to incorporate the strategic principles within supporting text for GSS06 as proposed by the EA. <b>ACTION The Council intend to make a Proposed Modification to GSS06 and supporting text with regards to flood risk.</b></li> <li>4. GSS06 has been revised to refer to a new station ticket hall building with step-free access to the platforms and sufficient gate capacity ...’ <b>ACTION The Council intend to make a Proposed Modification to GSS06 and supporting text with regards to Colindale Station.</b></li> <li>5. GSS06 provides the opportunity to provide a more sustainable place. It’s therefore important to focus growth on key locations within Colindale that are identified in the Local Plan. The changing circumstances are that Colindale is becoming a location that actively demonstrates a Healthy Streets Approach.</li> <li>6. The Local Plan takes a much broader approach to growth supporting opportunities in town centres and places with good sustainable transport options as well as Growth Areas such as Colindale and housing estates.</li> </ol>

	<ol style="list-style-type: none"> <li>7. The Council considers that it has undertaken a proportionate and realistic approach to assessing site capacity. Indicative capacities within proposals are intended as high-level assessments that will be firmed up by further design and master-planning work as proposals transition to planning applications. Carrying out a full design-led site assessment at the allocation stage would be disproportionately resource intensive and lead to less flexibility.</li> <li>8. See response at GSS01(14).</li> </ol>
<p><b>Policy GSS07 : Mill Hill East</b></p>	<p><b>Council’s strategy unsound as it is not positively prepared, justified, effective or consistent with national policy</b></p> <ol style="list-style-type: none"> <li>1. Policy does not properly consider that area is green belt, conservation area, home to wild-life and acts as a local carbon offset and should remain undeveloped.</li> <li>2. Policy requires a strategic assessment of visual and functional impact of this Growth Area or a strategic master-plan to avoid a cumulative impact</li> <li>3. Policy’s housing numbers should be revised 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” .</li> <li>4. Policy should be revised to reflect include Waitrose site and car park.</li> <li>5. Policy should reflect ‘urban’ rather than ‘suburban’ growth in order to better optimise opportunity to deliver new homes close to the station. Reference to “<i>good suburban growth</i>” is confusing in the context of Millbrook Park which comprises multi-storey apartment buildings presenting more of an urban than suburban face to Mill Hill East</li> <li>6. Policy should be revised to ensure that an assessment of the impact of further large-scale development around Mill Hill East station is carried out. Taking into account cumulative impacts from all planned and proposed development because station has limited capacity and making the line to Finchley Central doubletrack is impossible.</li> <li>7. Plan’s inclusion of Mill Hill East Station in Growth Area will impede expansion of train capacity. Thousands of homes are being built, e.g. on the Ridgeway, that are not within walking distance of station, that have reduced car parking spaces, with the expectation that people will be cycling. The station car park has only 42 car spaces, which could be converted to only 160 cycle spaces, so building on the station car park is unsound and not legally compliant.</li> <li>8. Plan’s evidence (Green Belt and MOL Review) demonstrates no justification for releasing land or making significant revisions to boundaries.</li> <li>9. Plan allows a three-fold increase in footprint at site 49. Development will remove site’s designation as Green Belt and destroy its permanence. Watchtower House site forms end of a continuous green corridor from gardens of Bittacy Park Avenue to Drivers Hill, a Site of Borough Importance Grade II, and is part of an important habitat. Increasing footprint or building volume or removing mature trees, will be detrimental to biodiversity. Replacement of hard-standing (e.g. tennis courts used as parking) by buildings three or more stories high, is not legally compliant in Green Belt.</li> <li>10. Policy is very unspecific and open to interpretation. Improvements to public transport cannot take place if housing on the Mill Hill East station site prevents expansion.</li> <li>11. Policy through inclusion of site 49 in Growth Area removes the restriction on sprawl of the large built-up area of Mill Hill East into Mill Hill Conservation Area and towards Mill Hill Village. It damages the setting of the historic town of Mill Hill Village (an</li> </ol>

	<p>‘Area of Archaeological Significance’).</p> <p>12. Policy through inclusion of site 49 removes the incentive for urban regeneration of Barnet’s redundant office space.</p> <p><b>Non-compliance with Duty to Cooperate</b></p> <p>13. Council’s response to GLA at Reg 19 was duplicitous (not duplicative) and non-cooperative because whilst para 5 was revised, para 3 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. Plan should reflect Mayor’s statement on Site 49. Inclusion of the Watchtower site and Kingdom Hall site in the Growth area, goes against the Mayor’s instructions.</p> <p>14. Plan should ensure vital land necessary for the operations and enhancement of London Underground and rail services – particularly the Northern line – are sufficiently protected....development proposals should contribute towards ..... Capacity enhancement at stations.</p> <p><b>Council’s strategy is justified</b></p> <p>15. Policy requirement for proposals to be supported by a transport assessment is welcomed.</p>
<p><b>LBB Response &amp; Action</b></p>	<p>1. Reference is made to Green Belt and Conservation Area designations as a consideration of any impacts..</p> <p>2. Cumulative visual and functional impact will be considered as part of the delivery of good suburban growth.</p> <p>3. See response at GSS06 (7).</p> <p>4. The Council conducted an extensive information gathering exercise to support the Schedule of Proposals. The Waitrose site and car park was not submitted as part of that exercise. This does not preclude this site coming forward in line with the policy framework outlined in this Plan.</p> <p>5. The Council considers that the broader context of the Mill Hill East area is suburban due to its mix of low-rise housing and rural character areas. While the Millbrook Park scheme does provide a more intense form of development this does not in itself alter the predominantly rural character of the area.</p> <p>6. The Council agrees to clarify the remit of any transport assessment to take into account the cumulative impacts arising from other committed development. <b>ACTION The Council intend to make a Proposed Modification to GSS07 with regards to Mill Hill East station.</b></p> <p>7. See response at GSS07(6).</p> <p>8. The Plan is not de-designating Green Belt or MOL. One of the purposes of the Barnet Green Belt Study (EB_GI_16) was to identify mapping irregularities with regard to land designated as Green Belt / MOL. This helps create strong defensible boundaries and ensures consistency with the NPPF. Minor adjustments have therefore been proposed to Green Belt and MOL boundaries where inconsistencies and errors have been identified.</p> <p>9. As highlighted previously the Plan is not de-designating Green Belt or MOL. Any proposal at Site 49 will be considered against policies on Green Belt (ECC05) and Biodiversity (ECC06).</p> <p>10. See response at GSS07(6).</p> <p>11. See response at GSS07(9).</p>

	<p>12. Proposal 49 represents an opportunity for development to come forward within the constraints of Conservation Area and Green Belt policies. It is one of many development opportunities supported by the Local Plan.</p> <p>13. The Council refers to the Statement of Common Ground with the GLA (EB_SoCG_10) and the Statement of General Conformity with the London Plan (Core_Gen_06).</p> <p>14. The Council refers to the Statement of Common Ground with TfL Spatial Planning (EB_SoCG_12). It is progressing a Statement of Common Ground with TfL Commercial Development.</p>
<p><b>Policy GSS08 : Barnet's District Town Centres</b></p>	<p><b>Council's strategy unsound as it is not positively prepared, justified, effective or consistent with national policy</b></p> <ol style="list-style-type: none"> <li>1. Plan is unclear with regard to definition of town centres and the 800m extension to boundaries. Definition of the area encompassing the town centre target should be made clear and figure checked to ensure there is no duplication with targets under other headings.</li> <li>2. Plan requires a separate policy for North Finchley reflecting scale of change and growth planned (as evidenced in the adopted SPD) This can highlight specific matters for consideration in assessing any applications proposals, and importantly the infrastructure required to support coordinated revitalization</li> <li>3. Policy should clarify what is meant by the requirement that proposals “do not have a negative impact on areas outside of the town centre”. Clarity is required as to what types of impacts are meant to be avoided.</li> <li>4. Policy should clarify the reference to car parking “established standards”.</li> <li>5. Policy should clarify basis for figure of 5,400 new homes in town centres.</li> <li>6. Policy's intention appears to relate only to listed main town centres but uses the all-encompassing title of “Barnet District Town Centres”. There is ambiguity between “District” and “Main” town centres.</li> <li>7. Policy should include noise-reduction targets [c] with regard to through traffic, which has a major negative impact on town centre appeal.</li> <li>8. Policy should support conversion of vacant shops in each town centre for secure cycle storage which would be especially attractive to owners of E-bikes and large adaptive cycles and cargo bikes.</li> </ol> <p><b>Council's strategy is justified</b></p> <ol style="list-style-type: none"> <li>9. Plan's focus on main town centres such as Finchley Central and Golders Green is sound as they are adjacent to railway stations providing access to central London and elsewhere.</li> <li>10. Policy requires the optimisation of residential density to make the most efficient use of brownfield land and take advantage of high levels of public transport accessibility.</li> <li>11. Policy supports the Healthy Streets Approach and sets out intention to minimise parking provision including zero provision where appropriate.</li> </ol>
<p><b>LBB Response &amp; Action</b></p>	<ol style="list-style-type: none"> <li>1. The Local Plan is not applying a 800 metre extension to Town Centre boundaries. Having the most town centres of any borough in London, Barnet takes a practical approach to the 800m walking distance from transport nodes or town centre boundaries. Therefore a walking distance of 400m is considered to be a more appropriate measure in helping to respond to local context. Town Centre proposal sites are identified as those within 400m of the town centre boundary. Similarly, Major</li> </ol>

	<p>Public Transport Infrastructure sites are identified as within 400m of an existing or new public transport hub and which have not otherwise been identified as within Growth Areas, Town Centres or Major Thoroughfares. Further clarification is set out in the Housing Technical Paper (EXAM 1B).</p> <ol style="list-style-type: none"> <li>2. The Council considers that the 2018 SPD for North Finchley (EB_E_19) still provides a very good basis for the innovative regeneration of the town centre. The Local Plan provides more up-to-date hooks for its application taking into account changes since 2018. There is a good policy framework within the Plan for North Finchley’s regeneration to be realised, this is predominantly expressed in terms of the 6 key opportunity sites and the town centre being a location where tall buildings may be appropriate.</li> <li>3. Good design should promote healthy lifestyles, cohesive neighbourhoods and create buildings that have minimal negative impact on amenity. <b>ACTION The Council intend to make a Proposed Modification to GSS08 with regards to impact on amenity.</b></li> <li>4. Established parking standards are set out at TRC03. <b>ACTION The Council intend to make a Proposed Modification to GSS08 to cross-refer to TRC03.</b></li> <li>5. The Council has produced a more detailed breakdown of Table 5 to set out delivery expectations of District Town Centres. <b>ACTION The Council intend to make a Proposed Modification to Table 5 to clarify housing delivery from town centres.</b></li> <li>6. The reference made to ‘Main town centres’ is not in terms of a planning designation. Rather the use of the term reflects priority locations for investment identified through the Council’s Growth Strategy (Core_Gen_18). <b>ACTION The Council intend to make a Proposed Modification to GSS08 to clarify references made to ‘Main Town Centres’.</b></li> <li>7. The Local Plan does not have the technical evidence to justify general noise-reduction targets and there is no national or regional requirement to do so. Noise can be mitigated through the design of proposals.</li> <li>8. Opportunities for the temporary (meanwhile) use of vacant buildings or land awaiting longer term development for a socially beneficial purpose, are encouraged through HOU05, TOW02, EGY01.</li> </ol>
<p><b>Policy GSS09 : Existing and Major New Transport Infrastructure</b></p>	<p><b>Council’s strategy unsound as it is not positively prepared, justified, effective or consistent with national policy</b></p> <ol style="list-style-type: none"> <li>1. Policy presumption that existing transport hubs have potential for growth without any evidence to assess whether the public transport provision will have the capacity to meet additional demand. An assessment should be included in the Plan of the potential extra traffic on the two branches of the Northern Line and Thameslink and the capacity of trains to cope with this extra traffic.</li> <li>2. Policy should clarify relationship with other growth policies within the draft Local Plan.</li> <li>3. Policy does not consider the options available for New Southgate if Crossrail 2 is not delivered.</li> <li>4. Policy should re-instate Woodside Park as it provides two housing development opportunities on TfL land [Site Nos 55 and 56] with capacity to deliver 451 new homes, one of which already has planning permission. High Barnet station should be recognised as a prime, well-connected brownfield site, and specifically identified in GSS09 as a growth area for new development.</li> <li>5. Policy should prioritise all public transport nodes for the optimal development of new homes.</li> </ol>

	<ol style="list-style-type: none"> <li>6. Policy should focus car parking re-provision on a much smaller number of spaces for people with disabilities including 'blue badge' holders. Provision of multi-storey car parks is unlikely to be acceptable in design terms and can jeopardise scheme viability.</li> <li>7. Policy should make distinction on car park redevelopment between stations at end of a line or on the edge of the TfL area and stations closer in. Commuters to London are drawn to High Barnet and New Barnet Stations because bus services have atrophied or disappeared, creating extra demand for car use and parking at and around those stations. This will displace cars onto local streets, discourage car-sharing and other integrated transport solutions.</li> <li>8. Policy identifies potential for 950 new homes in proximity to the West London Orbital (WLO) stations but shows no specific sites and there is no justification that this is an appropriate figure which optimises site potential. Garrick Industrial Estate is next to WLO station at Hendon and has potential to accommodate a significant number of new homes as part of a co-location scheme.</li> <li>9. Policy should be expanded to require all applications to be supported by an assessment of car use and a PERS (Pedestrian Environment Review) audit to maximise the efficiency of the surrounding pedestrian environment.</li> <li>10. Policy considered contradictory in that replacement car parking may be supported through a more land-efficient design approach such as multi-story design. Developers need to understand exactly what is expected of them.</li> <li>11. Policy support for development at Mill Hill East station site is incompatible with the requirement to "enhance the capacity, access and facilities of the transport interchange". <b>Council's strategy is justified</b></li> <li>12. Policy supports TfL's programme for development in the Borough.</li> <li>13. Plan recognises that station car parks offer opportunities for residential redevelopment through utilising the high PTALs and other potential site characteristics such as town centre locations, and that level of station car parking provision will be assessed in light of encouraging the use of public transport and active modes of travel.</li> <li>14. Council's approach supports proposals that facilitate access to—and delivery of—the West London Orbital at Hendon, as well as seeking contributions towards its delivery.</li> <li>15. Plan supports development and regeneration close to major transport infrastructure if safe cycling and walking routes are provided in the locality. Provision for safe walking and cycling routes, and secure cycle storage, should be supported at all new and existing transport hubs named in the policy.</li> </ol>
<p><b>LBB Response &amp; Action</b></p>	<ol style="list-style-type: none"> <li>1. The Local Plan is supported by a Strategic Transport Assessment (EB_T_03) which has assessed the cumulative impact expected from projected growth up to 2036. This includes impacts relating to the highway network (strategic and non strategic) and public transport (bus and rail).</li> <li>2. Policies BSS01 – Spatial Strategy for Barnet and GSS01 – Delivering Sustainable Growth helps set out the relationship.</li> <li>3. The potential arrival of Crossrail 2 is anticipated in the Local Plan while the safeguarding of land remains in place. The Council will consider bringing forward a joint area planning framework with LB Enfield and LB Haringey for New Southgate Opportunity Area. The boundaries of the Opportunity Area have not been formally defined but they will cross into LB Enfield and LB</li> </ol>



	<p>Haringey. If the Crossrail 2 project does not come forward, there will be a greater focus on opportunities in the area around the North Circular Road.</p> <ol style="list-style-type: none"> <li>4. Although not specifically highlighted in GSS09 proposals 55 and 56 in Annex 1 of the Local Plan for Woodside Park Station are clearly categorised as Existing Transport Infrastructure. The Council’s proposals for High Barnet Station are set out at Proposal 44. High Barnet Station does not meet the requirements of a Growth Area as defined in the Glossary.</li> <li>5. In line with a design led approach the Council supports significant intensification and growth at public transport nodes. This is reflected in GSS09</li> <li>6. The Council agrees to clarify expectations on demonstrating need for replacement car parking spaces. Replacement may be provided, with the aim to re-provide only where essential, for example for disabled persons or operational reasons. <b>ACTION</b> <b>The Council intend to make a Proposed Modification to GSS09 to clarify replacement car parking.</b></li> <li>7. The Council recognises the pressures created by commuters and is seeking to encourage more sustainable forms of transport within the Borough and will use a range of initiatives including controlled parking zones to encourage commuters to switch to sustainable modes of transport.</li> <li>8. The Council has produced a further breakdown of Table 5 showing expectations of housing delivery from West London Orbital. The figure in GSS09 is a minimum, as are all housing figures in the Local Plan. <b>ACTION The Council intend to make a Proposed Modification to Table 5 to clarify housing delivery from WLO.</b></li> <li>9. TRC01 sets out expectations with regard to the Healthy Streets Approach and the requirement for all major development proposals to provide a Transport Assessment.</li> <li>10. Developers also tell us how much they dislike prescriptive and inflexible policies. Design led solutions are required to respond to locational parking circumstances.</li> <li>11. See response at GSS07(6).</li> </ol>
<p><b>Policy GSS10 : Estate Renewal and Infill</b></p>	<p><b>Council’s strategy unsound as it is not positively prepared, justified, effective or consistent with national policy</b></p> <ol style="list-style-type: none"> <li>1. Policy conflates estate regeneration with infill as these are two very different issues and approaches. Whilst there may be occasions where infill is appropriate, this should be decided on a case-by- case basis.</li> <li>2. Policy of active estate infill will reduce access to green space and open space in the poorest and most densely populated parts of Borough with a disproportionate impact on women, older people, disabled people and people of colour.</li> <li>3. Policy will widen health inequalities and is not consistent with the Joint Health and Wellbeing Strategy; the evidence and experience of the Covid pandemic; and the cross-border policies of North Central London Integrated Care Plan (NCL ICP).</li> <li>4. Policy should objectively define the term “sufficient” open space and play space.</li> <li>5. Policy should replace the phrase “promote” with “enable’ and include commitment to guidelines on Healthy Streets]. Reference to “appropriate level of parking’ sounds worryingly open-ended. <b>Council’s strategy is justified</b></li> <li>6. Policy supports active travel.</li> </ol>

<p><b>LBB Response &amp; Action</b></p>	<ol style="list-style-type: none"> <li>1. GSS10 is consistent with London Plan Policy H8 – Loss of Existing Housing and Estate Redevelopment and the Mayor’s Good Practice Guide to Estate Regeneration. The Council refers to the Statement of Common Ground with the GLA(EB_SoCG_10) and the Statement of General Conformity with the London Plan (Core_Gen_06)..</li> <li>2. A key ambition for the Local Plan is delivering the Healthy Streets Approach. As outlined in the London Plan this promotes the use of public space to improve health and reduce health inequality.</li> <li>3. The Local Plan is consistent with the Joint Health and Wellbeing Strategy (EB_S_11). Health inequalities linked to deprivation are a key challenge for the Plan. The Council’s Estate Renewal programme has the potential to positively address deprivation and associated health inequalities which have been further exposed by COVID19. Issues of ventilation and air circulation, social distancing space, homeworking space, private amenity space (in terms of gardens and balconies) and use of public realm and open spaces coming to the fore can be addressed by good quality design, delivering good quality safe, sustainable homes and places where people choose to work, rest and stay. Policy CHW02 sets out how the Council is Promoting Healthy Living and Wellbeing.</li> <li>4. The Plan’s approach on the provision of playspace is set out in the Chapter on Character, Design and Heritage. Approach on provision of open space is within the Chapter on Environment and Climate Change.</li> <li>5. Promote is more appropriate wording than enable. The Healthy Streets Approach forms a key component of the Local Plan and is highlighted in a number of policies including CHW02 which states that we will apply the Healthy Streets Approach to support the health and wellbeing of our residents. Parking will be provided in accordance with TRC03.</li> </ol>
<p><b>Policy GSS11 : Major Thoroughfares</b></p>	<p><b>Council’s strategy unsound as it is not positively prepared, justified, effective or consistent with national policy</b></p> <ol style="list-style-type: none"> <li>1. Policy will add to traffic congestion along Barnet’s main road corridors unless the alternatives are much better. This means access to walking and cycling networks and installing safe cycle tracks directly along these corridors.</li> <li>2. Policy does not include reference to the healthy streets for this section of the policy. Policies should look into a wider strategic approach. A5 is currently dominated by traffic and has poor quality public realm that would also benefit from the healthy streets initiative.</li> <li>3. Policy should confirm that delivery of new homes is a minimum. This allows for flexibility and will maximise development potential and encourage the most efficient use of land.</li> <li>4. Policy should clarify appropriate locations for tall buildings along Major Thoroughfares.</li> <li>5. Policy should reflect that the characteristics of corridors is variable, in some cases offering more limited access to services and facilities, especially outside of town centres. Promotion of increased density and tall buildings should be focussed to where these corridors pass through town centres.</li> <li>6. Policy is not effective as housing target for Major Thoroughfares has been reduced from Regulation 18 when Throughfares afford a significant opportunity to meet housing needs, and therefore the policy should be clear that this represents a minimum aspiration.</li> <li>7. Plan’s support for development on the A406 North Circular is not as strong as it is for some other major roads through the Borough. It is unclear that Plan states that the A406 North Circular “could potentially be enhanced”. There is a need for a</li> </ol>

	<p>clear presumption in favour of the redevelopment of unused / underused sites in suitable locations on the A406 (subject to the usual planning, heritage and environmental considerations, of course). TfL has a number of sites along the A406 North Circular that were originally acquired by the DfT for road-widening projects which were never brought forward. A clear planning position in the Local Plan will help market these development opportunities through the GLA ‘Small Sites’ programme and secure their redevelopment.</p> <p>8. Policy should clarify that “substantial public transport investment” will not be required in all cases and that contributions should be proportionate to the scale of development.</p> <p>9. Plan considers the A110, East Barnet Road as a major thoroughfare and does not reflect its constraints. This stretch of road was not recognised by TfL in 2011 as one of the 1,703 major road links within Greater London with an annual average daily flow estimate of greater than 10,000 vehicles.</p> <p><b>Council’s strategy is justified</b></p> <p>10. Policy identifies that redevelopment along Barnet’s main road corridors can provide a significant supply of sites for growth because they benefit from the public transport facilities that run along them.</p>
<p><b>LBB Response &amp; Action</b></p>	<p>1. GSS11 highlights application of the Health Streets Approach. Reference to this Approach is highlighted throughout the Local Plan.</p> <p>2. See response at GSS11(01).</p> <p>3. See response at GSS01(06).</p> <p>4. See response at CDH04(08)</p> <p>5. See response at CDH04(08)</p> <p>6. See response at GSS01(06).</p> <p>7. The Council will work with Transport for London to help deliver appropriate sites. <b>ACTION The Council intend to make a Proposed Modification to GSS11 to clarify expectations of public transport investment.</b></p> <p>8. See response at GSS11(07).</p> <p>9. East Barnet Road meets the requirements set out at para 4.26.2 of the Local Plan. Safeguards are provided through Policy GS11 which will ensure that design relates to suburban streets behind the thoroughfares.</p>
<p><b>Policy GSS12 : Redevelopment of Car Parks</b></p>	<p><b>Council’s strategy unsound as it is not positively prepared, justified, effective or consistent with national policy</b></p> <p>1. Policy proviso that car parking spaces will be released ‘if surplus to requirements or re-provided’ will not deliver the sort of change needed to achieve other policies on active travel and climate change.</p> <p>2. Policy needs to consider implementation through Site Proposals. There are 141 residential premises, 49 businesses, two schools and two churches which rely on approximately 60 car parking spaces at Burroughs Gardens car park (site 34) and The Burroughs car park (site 39). The Good Growth policies of the London Plan emphasise the need to protect character and heritage. The proposals by virtue of their size, scale and density pose major threat to the character and heritage of the area.</p> <p>3. Policy criteria includes design that ‘preserves’ the amenity of neighbouring uses. Question whether ‘preservation’ is the</p>

	<p>correct test for this policy and should be replaced with ‘has regard to’ the amenity of neighbouring uses.</p> <ol style="list-style-type: none"> <li>4. Policy is bullish about redevelopment of car parks which do represent an inefficient use of land in prime locations. However, Council is also committed to supporting commercial well-being of town centres, which have endured many difficulties over recent years. Policy should be far more cautious about potential damage to commercial viability of town centres. Elements regarding alternative means of transport and re-provision after development should be replaced with a requirement for an analysis of the potential impact on the well-being of any nearby commercial activity.</li> <li>5. Policy does not consider that car parking need in edge-of-London locations can be greater than elsewhere in Barnet, as centres such as Chipping Barnet have to compete with Potters Bar, Hatfield, London Colney and Borehamwood, which are easier to reach by car. Policy should require transport assessments for edge-of-London locations to factor in developments outside Borough.</li> <li>6. Policy wording could still give much stronger encouragement to remove or reduce parking as part of redevelopment proposals particularly where sustainable alternatives exist. Re-provision should only be considered where it is essential e.g. for disabled persons parking or for operational reasons.</li> <li>7. Council’s approach will make life harder for residents in a Borough which the Council acknowledges is car-dependent. Lateral cross borough public transport is limited and many people, especially the elderly and people with young children, depend on their cars for many journeys. There will be an especially negative impact on disabled people and is out of line with the council’s equalities duties <b>Council’s strategy is justified</b></li> <li>8. Council’s approach to redevelopment of existing surface level car parks for residential and other suitable uses is supported particularly with low-density retail parks and supermarkets. Great North Leisure Park (GNLP) currently includes a large surface car park which provides parking for the leisure facilities on the site.</li> <li>9. Policy supports making the most efficient use of land, with specific levels of car parking to be appropriately determined at subject to the nature of the development and the uses which are proposed.</li> <li>10. Council’s approach to redevelopment of car parks, particularly in well-connected locations, will make a more efficient use of land to address London’s housing crisis and reduce congestion at the same time.</li> </ol>
<p><b>LBB Response &amp; Action</b></p>	<ol style="list-style-type: none"> <li>1. The Council consider it is important to balance the need to meet housing requirements in the Borough with the ongoing car parking requirements to support functions such as town centres. The Council will clarify expectations on demonstrating need for replacement parking spaces as well as how public transport and active travel can reduce usage. <b>ACTION The Council intend to make a Proposed Modification to GSS12 to clarify expectations on demonstrating need.</b></li> <li>2. Applications have now come forward for these referenced sites and have been approved.</li> <li>3. Agreed. <b>ACTION The Council intend to make a Proposed Modification to GSS12 to replace ‘preserves’ with ‘has regard to the amenity of neighbouring uses’</b></li> <li>4. The Council consider it is important to balance the need to meeting housing requirements in the Borough with the ongoing car parking requirements to support functions such as town centres.</li> <li>5. The Council in support of ensuring competitive and thriving town centres may require through GSS12 a specific</li> </ol>

	<p>development related parking strategy.</p> <ol style="list-style-type: none"> <li>The Local Plan's approach to residential car parking is set out at Policy TRC01.</li> <li>Where parking spaces can be demonstrated as surplus to requirement, the aim will be to re-provide only where essential, for example for disabled persons or operational reasons. <b>ACTION The Council intend to make a Proposed Modification to GSS12 to clarify re-provision of parking spaces.</b></li> </ol>
<p><b>Policy GSS13 : Strategic Parks and Recreation</b></p>	<p><b>Council's strategy unsound as it is not positively prepared, justified, effective or consistent with national policy</b></p> <ol style="list-style-type: none"> <li>Policy does not include specific proposals on how Regional Park will be delivered.</li> <li>Policy should focus on local access to natural spaces, pocket parks, and local play spaces as these are more important to people's quality of life, health and wellbeing and activity levels than large strategic parks and recreation centres. They also help to protect against urban heat islands and flash floods.</li> <li>Policy should consider equalities issues, specifically the work of Make Space For Girls, and inclusion of disability sports and respect the child's right to play</li> <li>Policy is ambiguous in that it may permit indoor facilities to be built in a new Regional Park on Green Belt (GB) and Metropolitan Open Land (MOL). Structures such as car parks, tennis courts and visitor centres could be built in the name of 'access', thereby affecting the openness and permanence of the GB, so that part of the GB or MOL becomes a brownfield site.</li> </ol> <p><b>Council's strategy is justified</b></p> <ol style="list-style-type: none"> <li>Council's approach of developing strategic parks at King George V, Copthall and West Hendon with dedicated cycling routes is supported.</li> </ol>
<p><b>LBB Response &amp; Action</b></p>	<ol style="list-style-type: none"> <li>The All London Green Grid Strategy (EB_GI_05) identifies the potential for a Regional Park within the Brent Valley and Barnet Plateau Green Grid Area. This remains a long term aspiration for the Council.</li> <li>A key objective of the Local Plan is to integrate the natural environment into the urban landscape, improving access to, and enhancing the contribution of biodiversity, Green Belt, Metropolitan Open Land and green and blue infrastructure.</li> <li>The Plan has been subject to an Equalities Impact Assessment. As part of its public sector equality duty the Council will ensure as promoter of the Sports and Recreation Hubs that equalities issues are addressed.</li> <li>See response at BSS01(09).</li> </ol>
<p><b>HOUSING</b></p>	
<p><b>Policy HOU01 : Affordable Housing</b></p>	<p><b>Council's strategy unsound as it is not positively prepared, justified, effective or consistent with national policy</b></p> <ol style="list-style-type: none"> <li>Policy does not provide any clarity on the application of First Homes.</li> <li>Policy does not confirm/clarify that a lesser provision would be appropriate if a viability appraisal demonstrates a proposal would not be viable if affordable housing was provided to meet policy requirement.</li> <li>Policy should support a flexible approach on affordable housing tenure mix, subject to the site specific circumstances.</li> </ol>

	<ol style="list-style-type: none"><li>4. Plan's evidence base on viability for specialist older persons' housing typologies is reliant on the London Plan. However London Plan's approach, particularly in respect of development viability and affordable housing contributions, is not considered to be consistent with that of the NPPF (2021). It would be more appropriate to set a lower, potentially nil, affordable housing target for sheltered and extra care accommodation as the London Plan was assessed against NPPF (2012) and Barnet Local Plan will be determined against NPPF (2021), with its increased emphasis on robust viability assessments at the plan making stage, it is the Borough's responsibility to ensure its planning obligations regime is sufficiently robust and justified.</li><li>5. Plan fails to explain why the target for affordable housing has been lowered to 35%, particularly when the London Plan has demanded a higher target of 50% affordable housing.</li><li>6. Plan fails to reflect that high housing costs are main reason why a higher percentage of families on a low income are living beyond their means than in any other London borough. Policy would fail an equalities impact assessment as levels of child poverty are significantly impacted by housing costs.</li><li>7. Plan should clarify what Affordable Rent is as an affordable housing product.</li><li>8. Policy should reflect the specific viability challenges to bring former utility sites forward to ensure redundant brownfield sites fulfil their potential and contribute to an areas housing need. Policy should make reference to exceptional cases such as this, where a more flexible approach may be needed and reflect London Plan which highlights the unique challenges of former utility sites.</li><li>9. Policy should be more robust and clearly state that the Council will not accept less than 35% without convincing reasons. The supporting text should give examples of convincing reasons.</li><li>10. Policy 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). Supporting text fails to set out how Barnet will assess the viability and affordable housing offer of scheme that achieve or exceed the affordable housing target.</li><li>11. Plan provides limited detail on the affordable housing requirements for BtR development beyond reference to London Plan Policy H11 (Policy HOU06, part b). Plan provides no such clarity on what is considered to be a genuinely affordable rent, and we request this is included so that the Plan provides certainty in respect of BtR development.</li><li>12. Policy is unclear about Specialist Older Persons Housing (SOPH) It should be consistent with the London Plan, which clarifies that affordable housing policies do apply to SOPH. <b>Council's strategy is justified</b></li><li>13. Policy is clear that the provision of affordable homes is subject to viability.</li><li>14. Council's approach to support safe, strong and cohesive communities and improve the quality of housing in Barnet and deliver a range of homes and increase access to affordable, good quality homes is supported.</li><li>15. Policy helps support approaches to secure housing for critical key workers on land owned by Government departments and agencies.</li></ol>
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<p><b>LBB Response &amp; Action</b></p>	<ol style="list-style-type: none"> <li>1. The Council's position on First Homes will be determined by the forthcoming Housing Strategy. This position is expected to be set out in a Proposed Modification to the Local Plan.</li> <li>2. The Council will clarify that any deviation from the 35% minimum requirement, including consistency with the Council's required tenure mix, will need to be fully justified through a policy compliant viability assessment. <b>ACTION The Council intend to make a Proposed Modification to HOU01 about deviation from our affordable housing requirements.</b></li> <li>3. See response to HOU01(02).</li> <li>4. The London Plan, published in March 2021, is the Spatial Development Strategy for London. The Local Plan is in General Conformity with the London Plan as set out in the Statement of General Conformity with the London Plan (Core_Gen_06). Barnet's Local Plan EIP nor any other London borough EIP is a platform for revisiting the London Plan EIP and undermining the Spatial Development Strategy for London.</li> <li>5. As set out in (Core_Gen_06) the Mayor considers the Local Plan to be in general conformity with the London Plan. However he has requested some clarifications to HOU01 to make it more consistent with the London Plan. <b>ACTION The Council intend to make a Proposed Modification to HOU01 to ensure greater consistency with the approach in the London Plan.</b></li> <li>6. Plan has been subject to an Equalities Impact Assessment. Barnet's forthcoming Housing Strategy will look at housing costs in more detail and set out a response.</li> <li>7. Affordable Housing is defined in the Local Plan Glossary. The role of Affordable Rent as a tenure in London is also explained.</li> <li>8. See response to HOU01(05).</li> <li>9. See response to HOU01(05)</li> <li>10. See response to HOU01(05).</li> <li>11. Build to Rent (BtR) forms part of the housing choices supported by the Plan and the need to get the right homes, in the right place and at the right time. It is an emerging housing tenure amongst a range of housing options, contributing to addressing a proportion of Barnet's housing needs. Therefore a proportionate approach to securing BtR is merited, and this is reflected by Policy HOU06 as well as HOU01.</li> <li>12. This requirement is clearly set out in Policy HOU04 – Specialist Housing.</li> </ol>
<p><b>Policy HOU02 : Housing Mix</b></p>	<p><b>Council's strategy unsound as it is not positively prepared, justified, effective or consistent with national policy</b></p> <ol style="list-style-type: none"> <li>1. Policy is not based on need or demand. Having a policy requiring a high percentage of large units would only increase significant competition for smaller units and lead to more affordability issues – this has not been thought through properly.</li> <li>2. Policy's proposed mix does not take into account projected increase in single person households who would be forced to live in HMO accommodation which is not a good standard of accommodation.</li> <li>3. Policy does not give flexibility to provide smaller units in town centre locations where large family sized dwellings would not be appropriate.</li> <li>4. Policy and associated supporting text fails to set out a clear definition of LB Barnet's approach to assessing dwelling mix.</li> <li>5. Policy does not give flexibility to provide smaller units where the provision of amenity space is challenging – amenity space is</li> </ol>

	<p>more important for family sized dwellings.</p> <ol style="list-style-type: none"> <li>6. Council's approach should clarify policy as a requirement or an ambition for the Borough. Policy sets out what is no more than a set of aspirations. It does not adequately require compliance at the level of the individual development. Contrast with TOW04 and CHW04, where it is made clear that applications which are non-compliant " will be refused"</li> <li>7. Policy states that the dwelling size priorities will be subject to periodic review and update. Council cannot change the policy until it undertakes a review of the Local Plan.</li> <li>8. Policy should clarify innovative housing products.</li> <li>9. Policy should be revised to enable a flexible and end-user driven approach to housing mix when considering comprehensive redevelopment proposals.</li> <li>10. Policy needs to reflect that specialist older persons' housing cannot provide a mix of house types in-block.</li> <li>11. Plan should identify a sufficient supply and mix of sites (both greenfield and brownfield) to provide a range of housing mix and types across the Borough. Green Belt sites are often better suited to deliver family homes which is further reinforced by the character of the surrounding area of the site.</li> <li>12. Council's current strategy will deliver a surfeit of flatted accommodation which will not meet the needs of the Borough.</li> <li>13. Council's approach to housing mix requires private homes to be predominantly three bedroom and omits any provision of one-bedroom homes, even if they are delivered as part of a mixed development. This is not in conformity with London Plan.</li> <li>14. Plan expresses general support for BtR, however application of this policy would pose significant viability challenges to actually delivering it. If Brent Cross Growth Area is to meet the delivery timescales set out in the Plan, and in order to be a mixed and balanced community overall, it will need to include a range of residential types and products, especially BtR.</li> <li>15. Plan should reflect impact of COVID19 pandemic and changes in our preferences to living. People are now spending longer at home due to amended working practices. The direct implication of this is people are reconsidering where they live. People are increasingly looking for an extra bedroom as a workspace environment and outdoor space.</li> <li>16. Policy housing mix preferences do not align with delivery in regeneration areas. Heavy dependence upon high-density apartment living does not align with the overarching vision of the emerging Local Plan to "be a place that is family friendly"; "a place where people choose to make their home", and a place with a "range of housing types".</li> <li>17. Plan should provide encouragement to more varied – and newer – forms of tenure, e.g. co-housing.</li> <li>18. Policy clear that developments are expected to have regard to the guide dwelling size priorities set out in Table 6. However rigid application of these requirements may not be acceptable or appropriate in all cases.</li> <li>19. Policy recognises the need for family housing but it is unenforceable and as such meaningless. Developers are reluctant to build three bedroom homes as they believe they are less profitable than studio and one bed flats and will typically only be included as part of the social housing requirement.</li> <li>20. Policy fails to recognise that due to the unaffordability of housing, children are living much longer in the parental home including adult children (over 18).</li> <li>21. Policy should include specific requirements for developments of more than 150 homes to provide the mix of homes detailed in the policy and supported by the Strategic Housing Market Assessment and that these requirements cannot be offset with</li> </ol>
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	<p>financial payments.</p> <p>22. Policy does not take account of Specialist Older Persons Housing. Housing needs (in terms of unit sizes) of older persons are different to those of younger households.</p> <p>23. Council strategy has failed to provide larger family units, and stop the continuing loss of existing ones. This threatens the status of the Borough as a highly desirable place for families to live.</p> <p>24. Policy does express the aspiration to provide more larger family homes but lacks any measures to make this happen. Should be a requirement that sizable developments should offer larger family homes and if they fail to do so then planning consent will be refused. Stronger controls on height could shift commercial appeal from building flats to making provision of houses more attractive.</p> <p><b>Council's strategy is justified</b></p> <p>25. Council's approach ensures that the right homes are delivered at the right place in the Borough, taking account of site-specific context, and is therefore considered to accord with the NPPF.</p> <p>26. Policy confirms that housing trends in Barnet are at variance with the wider London requirement insofar as it relates to housing mix. The Mayor's SHMA 2017 highlights that one bedroomed units are the largest requirement for market as well as social rented housing in London. This contrasts with the findings of Barnet's SHMA published in 2018, which confirms a requirement for family housing.</p> <p>27. Plan emphasises the importance of balance, rather than placing an over-reliance on smaller properties.</p> <p>28. Policy sets a priority to the provision of 3-bedroom units.</p> <p>29. Policy recognises that site size, characteristics and location are relevant to devising appropriate housing mixes. Local development context should be regarded as a key influence on housing mix, with different parts of the Borough demanding a range of approaches in order to deliver the right mix in the right locations. This aligns with the design-led approach to optimising site capacity.</p>
<p><b>LBB Response &amp; Action</b></p>	<p>1. The Policy ensures that the right homes are delivered within the right locations in the Borough, taking account of site-specific context, and is therefore considered to accord with the NPPF. The Policy reflects priorities identified through the SHMA rather than prescriptive requirements. It therefore encourages delivery against these priorities.</p> <p>2. Housing trends in Barnet are at variance with the wider London requirement insofar as it relates to housing mix. The Mayor's SHMA 2017 (EB_H_03) highlights that one bedroomed units are the largest requirement for market as well as social rented housing in London. This contrasts with the findings of Barnet's SHMA (EB_H_05) published in 2018, which confirms a requirement for family housing.</p> <p>3. There is sufficient flexibility in Policy HOU02 to apply the preferred housing mix on a site by site basis. Regard to town centre location is highlighted as a criteria for consideration.</p> <p>4. See response to HOU02(01).</p> <p>5. See response to HOU02(03).</p> <p>6. See response to HOU02(01).</p>

	<ol style="list-style-type: none"> <li>7. The Council is justified in highlighting the importance of monitoring housing trends in Barnet in the implementation of this housing mix policy. Such changes are an important material consideration in making planning decisions enabling the Council to avoid getting the wrong homes in the wrong locations at the wrong time.</li> <li>8. Innovative design to increase housing choice in addressing housing needs is encouraged by the Council. This is an opportunity for housing providers to be innovative with design-led solutions.</li> <li>9. There is sufficient flexibility in this policy to provide an end-user driven approach to housing mix in comprehensive redevelopment proposals.</li> <li>10. Requirements can be applied flexibly if there is no need in planning terms.</li> <li>11. See response to BSS01(07).</li> <li>12. The Council considers that the approach in the Local Plan is addressing needs. If it transpires that new evidence highlights a surfeit of flats, in a period of housing crisis, the Council would need to reconsider solutions to meeting housing need.</li> <li>13. See response to HOU02(01). The Council refers to the Statement of Common Ground with the GLA (EB_SoCG_10) and the Statement of General Conformity (Core_Gen_06) with the London Plan.</li> <li>14. The Council considers that the Local Plan takes an appropriate and proportionate approach to the delivery of a specific and emerging new tenure - Build to Rent. HOU02 provides a balanced and flexible housing mix policy based on evidence provided by Barnet's SHMA. The Plan wants Build to Rent to provide real housing choice as a successful and long-lived tenure.</li> <li>15. This is an opportunity for the market to provide design-led attractive housing products that respond to the challenges raised by COVID19.</li> <li>16. The Council's approach on Housing Mix (HOU02) has a very strong link with the bespoke policy on Housing Conversions (HOU03) and protecting the existing stock of family homes. Family homes are being delivered in the Regeneration Areas as highlighted in the Annual Regeneration Report.</li> <li>17. See response to HOU02(08).</li> <li>18. See response to HOU02(03).</li> <li>19. The Policy is not meaningless. The Council is required to set out its priorities for housing mix and developers are required to respond to it.</li> <li>20. There is recognition of this trend within Barnet's SHMA. The Council seeks to give adults the opportunity to leave the parental home and stay within the Borough.</li> <li>21. The Policy is applicable to all residential development of more than one unit.</li> <li>22. See response to HOU02(10).</li> <li>23. See response to HOU02(16).</li> <li>24. The Council consider that across the Borough HOU02 will help deliver an appropriate mix of housing types, sizes and tenures that addresses housing need.</li> </ol>
<p><b>Policy HOU03 : Residential</b></p>	<p><b>Council's strategy unsound as it is not positively prepared, justified, effective or consistent with national policy</b></p> <ol style="list-style-type: none"> <li>1. Policy is wholly unreasonable and acts as a barrier to the efficient use of land and providing higher density development, in the</li> </ol>

<p><b>Conversions and Redevelopment of Larger Homes</b></p>	<p>majority of the Borough.</p> <ol style="list-style-type: none"> <li>2. Policy mainly seeks to protect the character and amenity of local areas, but character and amenity are protected by other policies.</li> <li>3. Policy introduces a raft of criteria which does not allow common sense or meaningful assessment to be carried out.</li> <li>4. Policy does not reflect that many successful conversions and redevelopment sites are outside 400 metres of local shops and public transport.</li> <li>5. Policy does not justify a family sized dwelling in a conversion at ground floor level. If provision of a 3-bedroom unit on upper floors includes access to sufficient amenity space then this should be supported.</li> <li>6. Policy needs to reflect that most large houses are an inefficient use of floorspace and are only affordable to the very affluent (in Barnet). Policy as it is currently worded is discriminatory against all those except the very affluent. A definition of larger homes should be provided to ensure only efficient 3–5-bedroom houses are protected.</li> <li>7. Policy should consider provision of adequate and affordable cycle storage both on site and with on-street cycle hangars.</li> <li>8. Policy is overly restrictive and will limit opportunities for redevelopment in locations which can be reasonably considered to be sustainable. It is contrary to the principles of Chapter 11. Making Effective Use of Lane in the NPPF.</li> <li>9. Policy not effective in resisting the trend towards smaller family homes. The identified housing need in the borough is for three bedroom family homes (preferably houses with gardens).</li> <li>10. Policy needs to reflect TRC03 where car parking requirements are expressed as maximum not minimum provision. Given that suitable sites should be within 400 metres walking distance of a town centre or in an area with a PTAL of 5 or more, residential conversions should be car free with provision only for disabled persons car parking (although cycle parking should meet minimum standards).</li> <li>11. Plan asserts that a two bedroom flat can be regarded as a family home for four persons, and as many of these are being built, the evident concern is about family homes suitable for five persons or more. Something stronger and more precise is needed. We recognise the value of the constraints introduced by clauses (a)(d) (e) (f) and (g). But clause (b) will not only fail in its objective, it could make it easier for developers to secure approval for conversions by proposing that a gross internal area of 74sqm is an adequate minimum. Clause (c) needs a more precise definition of what 130sqm refers to.</li> </ol> <p><b>Council's strategy is justified</b></p> <ol style="list-style-type: none"> <li>12. Policy seeks to protect the character and amenity of local areas and seeks to protect larger existing homes subject to conversion.</li> </ol>
<p><b>LBB Response &amp; Action</b></p>	<ol style="list-style-type: none"> <li>1. The Policy is a realistic and proportionate approach to managing growth in the Borough.</li> <li>2. HOU03 provides a more specific requirement around the conversion and re-development of existing houses.</li> <li>3. See response to HOU03(01).</li> <li>4. The Council consider that HOU03 will help achieve a better balance, protecting family homes while delivering new converted homes in the right locations.</li> </ol>

	<ol style="list-style-type: none"> <li>5. The Council agrees that there will be conversions that can provide the family home with amenity space at other levels. <b>ACTION - The Council intend to make a Proposed Modification to HOU03 to provide greater flexibility with regards to the position of the family sized home in the converted property.</b></li> <li>6. The Plan has been subject to an Equalities Impact Assessment (Core_Gen_25). Protecting the existing stock of family accommodation counterbalanced by the delivery of new homes through regeneration and intensification in Barnet’s preferred locations for growth keeps options open for future generations.</li> <li>7. A cross-reference to cycle parking requirements standards is included.</li> <li>8. See response to HOU03(01).</li> <li>9. Policy does not seek to stop conversions or redevelopment of existing homes. It directs such activity to preferred locations near town centres or areas with a high PTAL.</li> <li>10. LBB agrees that car parking requirements should be considered against Policy TRC03 and that Minimum should be deleted. <b>ACTION - The Council intend to make a Proposed Modification to HOU03 to ensure consistency with TRC03.</b></li> <li>11. The standard of 74m2 Gross Internal Area (GIA) for a flat on one level is set out in Table 9. A footnote has been added to HOU03 to explain what GIA is. <b>ACTION - The Council intend to make a Proposed Modification to HOU03 to clarify GIA of 130m2.</b></li> </ol>
<p><b>Policy HOU04 : Specialist Housing</b></p>	<p><b>Council’s strategy unsound as it is not positively prepared, justified, effective or consistent with national policy</b></p> <ol style="list-style-type: none"> <li>1. Policy is unreasonable. Many successful homes are outside 400 metres of local shops and public transport and provide care for people who cannot travel.</li> <li>2. Policy should clarify evidence required to demonstrate an identified need.</li> <li>3. Policy should clarify what is a harmful concentration of such a use in the local area) of the Houses in Multiple Occupation (HMO) section (part 2D) of the Policy should clarify HMO’s to be easily accessible by public transport, cycling and walking.</li> <li>4. Policy should clarify non self-contained market housing</li> <li>5. Council’s approach should support the supply of the full range of types of older persons housing that is needed and encouraged by the London Plan. Plan does not cover all the types of older persons housing that London Plan policy H13 has been devised to support and has misunderstood the intention behind London Plan policy H13, which is to increase the supply of a wider type of older persons housing, including retirement housing, not just accommodation providing an element of care.</li> <li>6. Plan’s terminology from the SHMA which utilises the methodology employed to assess need by the Housing the Housing LIN Older People Resource Pack 2012. SHMA uses different terminology in part to Housing LIN and this is misleading - refers to “Traditional Sheltered” whereas Housing LIN refers to “Conventional sheltered housing to rent” - refers to “leasehold Schemes for the elderly” whereas Housing LIN refers to “Leasehold sheltered housing”.</li> <li>7. Policy requires older persons’ housing to demonstrate an identified need to help people live independently. This need is however self-evident and has already been established as significant in both the London Plan and the Barnet SHLAA</li> <li>8. Policy is undermined by the lack of consideration given to older persons’ housing typologies in Policy HOU 01: Affordable Housing and the Barnet Local Plan Viability Study Report.</li> </ol>

	<p>9. Policy should set out more specific requirements for the location of this specialist housing and provide further clarity on how this target will be met.</p> <p>10. Plan requires a specific policy to deliver specialist older persons homes. Having a clear policy against which delivery in this sector can be tracked is therefore essential. Policy should provide further clarity on the types of specialist housing for older people, the appropriate locations for this form of development and how the figure will be met within the Plan period.</p> <p>11. Plan should include policies to manage the delivery of SOPH, including identifying sites to accommodate this need. Policy is confusing and muddled in respect to SOPH, which makes it ineffective in principle. Proposed site allocations should identify specific sites that are suitable to accommodate residential development (both conventional housing and/or SOPH), in order to accord with the London Plan.</p> <p>12. Policy should clarify that general needs housing ‘standards’ (e.g. car parking, cycle parking, playspace, housing mix etc) should not be bluntly applied to SOPH where it can be demonstrated that an alternative bespoke approach would be more appropriate.</p> <p><b>Council’s strategy is justified</b></p> <p>13. Plan reflects indicative benchmarks for older persons housing from the London Plan.</p> <p>14. Policy supports alternative types of living accommodation, which should be directed, in part, to town centre locations given the access to services and facilities.</p>
<p><b>LBB Response &amp; Action</b></p>	<p>1. The Council considers that accessibility to shops and public transport is a reasonable expectation in a London Borough.</p> <p>2. The Council considers that HMOs are an important source of low cost, private sector housing. However it is up to developers to demonstrate that their proposals show that they are meeting an identified need in order for the Council to consider how proposals impact on mix, inclusivity and sustainability of a neighbourhood.</p> <p>3. Harmful concentrations of HMOs are a matter of planning judgement on individual proposals, responding to circumstances rather than a prescriptive formulaic approach.</p> <p>4. The Council consider that purpose built shared living accommodation developments are (in planning terms) Sui Generis non self-contained market housing. This does not merit clarification in Policy.</p> <p>5. The Plan has not misinterpreted London Plan Policy H13. The Council refers to the Statement of Common Ground with the GLA(EB_SoCG_10) and the Statement of General Conformity with the London Plan (Core_Gen_06).</p> <p>6. The Council does not consider that slight changes to the terminology of the Barnet SHMA make the Plan unsound.</p> <p>7. The Council considers that in making a planning decision it should be able to expect this justification from developers. Barnet has not produced a SHLAA.</p> <p>8. It is quite clear in HOU04 that the affordable requirements of London Plan policies H4 and H5 are met. A specific reference in HOU01 is not merited.</p> <p>9. Policy is clear with regard to both indicative benchmark (not targets) from the London Plan and appropriate locations.</p> <p>10. Policy HOU04 is consistent with the London Plan and the Council does not consider a stand-alone policy is merited.</p> <p>11. See response to HOU04(10).</p> <p>12. See response to HOU04(10).</p>

<p><b>Policy HOU05 : Efficient Use of Barnet's Housing Stock</b></p>	<p><b>Council's strategy unsound as it is not positively prepared, justified, effective or consistent with national policy</b></p> <ol style="list-style-type: none"> <li>1. Policy is contradicted by HOU03 to stop conversions and redevelopment in most of the borough.</li> <li>2. Policy seeks to try and stop such provision of much needed short term temporary accommodation. Council should outline where they would support the provision of temporary accommodation.</li> <li>3. Policy states that Council will utilise it's regulatory powers to reduce the number of vacant dwellings and bring them back into use." – this is not a policy but a statement of intent which is not related to planning.</li> <li>4. Site proposal 49 involves loss of existing volunteer residential accommodation (for which there is no longer a need) to be replaced with new housing (for which there is a need). This conflicts with HOU05 as none of the exceptions set out at 1(a-d) would apply.</li> </ol>
<p><b>LBB Response &amp; Action</b></p>	<ol style="list-style-type: none"> <li>1. The Council refutes this misinterpretation of HOU03.</li> <li>2. Policy seeks to ensure that homes are lived in and meeting the Borough's growing housing needs. Short-term lets do not form part of the solution. HOU04 clearly supports 'meanwhile' use of vacant building or land.</li> <li>3. Policy is justified in making reference to the Council's regulatory powers to reduce vacant homes. Although vacant home brought back into use are no longer counted as part of our housing delivery, they are addressing housing need.</li> <li>4. Site 49 is a sui generis use, formerly occupied by a religious community. The residential accommodation was only available to members of the religious community so is not regarded as a loss.</li> </ol>
<p><b>Policy HOU06 : Meeting Other Housing Needs</b></p>	<p><b>Council's strategy unsound as it is not positively prepared, justified, effective or consistent with national policy</b></p> <ol style="list-style-type: none"> <li>1. Policy unclear if build to rent schemes are exempt from providing a mix of dwellings</li> <li>2. Policy that self and custom-build is delivered through a Neighbourhood Plan is not considered to be a sound approach and simply delays the identification of sufficient sites to meet this need.</li> </ol>
<p><b>LBB Response &amp; Action</b></p>	<ol style="list-style-type: none"> <li>1. The Policy is not unclear. If Build to Rent was exempt from providing a mix of dwellings the Policy would state this.</li> <li>2. As of 31st October 2021 there were 139 entrants on the Self Build Register and between Nov 1st 2020 and Oct 31st 2021 there were 34 new entrants. These represent an exceptionally small proportion of Barnet's objectively assessed need and this is clearly stated in our Draft Local Plan. Therefore, having regard to the very low demand at present, the Council has not allocated any specific sites in the Local Plan for self-build and custom housebuilding but has committed to keep this matter under review.</li> </ol>
<p><b>Policy HOU07 : Gypsies, Travellers and Travelling Showpeople</b></p>	<p><b>Council's strategy unsound as it is not positively prepared, justified, effective or consistent with national policy</b></p> <ol style="list-style-type: none"> <li>1. Plan has not made a reasonable assessment of need, based on credible evidence. No significant objectivity has been used by the authority in its assessment.</li> <li>2. Policy may be politically realistic to some, but it is not fair or inclusive. There is no appropriate strategy,</li> <li>3. Policy evidence in the form of the Gypsy Traveller Accommodation Assessment (GTAA) jointly-written supporting document is unsound. Its methodology may be partly questionable in the case of the other contributing London boroughs, but at least they</li> </ol>

	<p>have existing traveller pitches to allow interviews by researchers. Barnet has no existing traveller pitches and must have been delighted by the chosen methodology, endorsed by the borough, of interviewing non-existent people! There is, therefore, currently no opportunity for reasonable democratic comment by the public on multi-authority methodology. The GTTA manages to say: “There were no Gypsies, Travellers or Travelling Showpeople identified to interview in Barnet.” “Following efforts that were made, it was not possible to interview any households living in bricks and mortar in Barnet.” “There are no public sites in Barnet so there is no waiting list.” “There were no households identified to interview in Barnet, so there is no current or future need for additional pitches for households that met the PPTS planning definition.” “There were no Travelling Showpeople identified in Barnet, so there is no current or future need for additional plots under the PPTS or Draft London Plan definition of a Traveller.”</p> <p>4. Policy support through the ‘GTAA Update’ is a last-minute defence for protecting the authority’s unbending, long-term attitude to travellers.</p>
<p><b>LBB Response &amp; Action</b></p>	<p>1. The Council as part of the West London Alliance commissioned ORS consultants to produce a Gypsy, Traveller and Travelling Showpeople Accommodation Assessment (GTAA) in 2018 (EB_H_06) in accordance with the Government’s Planning Policy for Traveller Sites (PPTS). The GTAA identifies no gypsies, travellers and travelling show people in Barnet and therefore no demand for pitches. Barnet have re-examined this evidence and identified incidences of unauthorised encampments as part of a GTAA update in 2021 (EB_H_11). With this new evidence there still remains no known need for providing accommodation within Barnet. This conclusion is supported by ORS consultants.</p> <p>2. See response to HOU07(01). If proposals do come forward for accommodation for Gypsies, Travellers and Travelling Showpeople there is a set of criteria to consider. These are set out in Policy HOU07.</p> <p>3. Policy HOU07 states that the Council can demonstrate no objectively assessed need for pitches and plots. The 2018 assessment has been carried out by ORS who are experienced consultants on gypsies and travellers. ORS advised the Council on the 2021 Update to the GTAA. Statements of common ground are live documents that can be reviewed on a regular basis, informed by continued communication between the parties through meetings, statutory consultation at key plan making stages and electronic communication. The cross-boundary strategic issue of Gypsies and Travellers is set out in Statements of Common Ground with neighbouring boroughs. Through such platforms requests from neighbouring boroughs, to help address their accommodation needs for gypsies, travellers and travelling showpeople, can be made.</p> <p>4. See response to HOU07(03).</p>
<p><b>CHARACTER, DESIGN &amp; HERITAGE</b></p>	
<p><b>Policy CDH01 : Promoting High Quality Design</b></p>	<p><b>Council’s strategy unsound as it is not positively prepared, justified, effective or consistent with national policy</b></p> <p>1. Plan needs to protect the Burroughs and Church End conservation areas from unsympathetic development, by reducing the scale, size, and massing of the proposed new student accommodation/residential homes in this highly residential area.</p> <p>2. Policy should support proposals that creatively recycle, remodel and reuse existing buildings on site.</p> <p>3. Emphasis on the flexibility of design-led approach should be emphasised on a site- by- site basis.</p> <p>4. Council states intention to produce a design SPD but there is no commitment regarding what form this might take. Given</p>

	<p>Mayor’s recognition of the issue, and the Govt’s aspiration to markedly improve design quality, the local approach needs to radically change. Design guidance in Barnet is currently insufficiently clear and consistent.</p> <ol style="list-style-type: none"> <li>5. Policy must clarify value of timely design review and the role of local design codes, not simply for small sites. Explicit mention of energy saving would also be helpful.</li> <li>6. Policy can be better worded to ensure full consistency on national policy in regard to optimising sites for residential development and ensuring well-designed places. Limitations on land supply and availability within the borough are clearly highlighted through the proposed Plan. This includes Green Belt and Metropolitan Open Land and the drive to protect and enhance heritage, environmental and social assets wherever possible. This means that use of available land must be as efficient as possible, particularly in order to deliver more than 5,000 homes (almost 15% of the overall minimum housing target over the life of the Plan) from non-designated sites.</li> <li>7. Policy not clear that optimisation could include alternative forms of housing provision (for example, flats or apartments) in locations previously characterised by houses. Shift in emphasis needs to be specifically stated so that any residential development proposal can be assessed in terms of optimisation through overall design and character and not simply whether the specific form of housing is unchanged from previously.</li> <li>8. Council’s strategy should include a Design Review Panel of qualified individuals to review all schemes over a certain size or in sensitive locations. Additionally, as indicated in D4 of the London Plan, design review should be part of the public consultation process.</li> <li>9. Policy makes no reference to fire safety.</li> </ol> <p><b>Council’s strategy is justified</b></p> <ol style="list-style-type: none"> <li>10. Supportive of the principle of a design-led approach to deliver optimum density on sites.</li> <li>11. Policy is helping to deliver Secured by Design in Barnet, it can greatly enhance the safety and security of those using or residing within a development and the wider environs of the local community, by using proven crime prevention measures at design, planning stage.</li> </ol>
<p><b>LBB Response &amp; Action</b></p>	<ol style="list-style-type: none"> <li>1. Applications have now come forward for these referenced sites and have been approved.</li> <li>2. Policies CDH02 and ECC01 set out approach to mitigating climate change including use of sustainable technology and design principles.</li> <li>3. CDH01 is explicit about the use of the design-led approach.</li> <li>4. The commitment to produce a Sustainable Design &amp; Development Guidance SPD is set out in the Local Development Scheme approved in September 2021. (Core_02)</li> <li>5. Through the use of a specific Design Code for Small Sites a suite of clear and specific design parameters for development will be provided that responds to the context provided by Barnet’s Characterisation Study (EB_DH_01). The Small Sites Design Code will form part of the forthcoming Sustainable Design and Development Guidance SPD. Policies CDH02 and ECC01 set out approach to mitigating climate change including use of sustainable technology and design principles.</li> <li>6. The Council considers that CDH01 is clear and consistent with NPPF 2021.</li> <li>7. HOU03 sets out the approach on Conversion and Redevelopment of Larger Homes.</li> </ol>



	<p>8. The Council has no current plans to progress a Design Review Panel.</p> <p>9. CDH01 will be updated with regards to the planning requirements of the Building Safety Act. <b>ACTION The Council intend to make a Proposed Modification to CDH01 to clarify Building Safety.</b></p>
<b>Policy CDH02 : Sustainable &amp; Inclusive Design</b>	<p><b>Council’s strategy unsound as it is not positively prepared, justified, effective or consistent with national policy</b></p> <ol style="list-style-type: none"> <li>1. Policy is contrary to national policy as it requires compliance with a BREEAM ‘Very Good’ rating rather than adhering to the Building Regulations as the standard measure for building performance.</li> <li>2. Policy should clarify that the M4(3) requirement should be applied only to those dwellings where the local authority is responsible for allocating or nominating a person to live in that dwelling.</li> <li>3. Plan needs to be ambitious about well-designed homes that are designed to minimise the impact on climate change. New buildings should be built to BREEAM of at least Excellent.</li> </ol> <p><b>Council’s strategy is justified</b></p> <ol style="list-style-type: none"> <li>4. Policy commitment to sustainable design and the BREEAM method is supported.</li> <li>5. Supportive of providing sustainable and inclusive developments which are accessible to those with disabilities.</li> </ol>
<b>LBB Response &amp; Action</b>	<ol style="list-style-type: none"> <li>1. The Council considers that CDH02 meets the requirements of the NPPF and London Plan on achieving BREEAM requirements for development proposals.</li> <li>2. The M4(3) 10% requirement is applicable to all major residential developments. Wheelchair users also live in private accommodation.</li> <li>3. See response to CDH02(01).</li> </ol>
<b>Policy CDH03 : Public Realm</b>	<p><b>Council’s strategy unsound as it is not positively prepared, justified, effective or consistent with national policy</b></p> <ol style="list-style-type: none"> <li>1. Policy might benefit from a requirement for public realm plans to incorporate strategies that seek to prevent littering and fly-tipping.</li> <li>2. Policy needs to set minimum acceptance criteria for healthy streets scores. Barnet performed poorly in the recent Healthy Streets Scorecards at 24<sup>th</sup> place.</li> <li>3. Policy could help proposals deliver patterns of land use that facilitate residents making shorter, regular trips by walking or cycling. Site at Avion Crescent in Colindale could do this.</li> </ol> <p><b>Council’s strategy is justified</b></p> <ol style="list-style-type: none"> <li>4. Plan’s objective to deliver high-quality, inclusive and effective public realm as part of development proposals to contribute to the delivery of placemaking, social interaction and the health and wellbeing of residents is endorsed.</li> </ol>
<b>LBB Response &amp; Action</b>	<ol style="list-style-type: none"> <li>1. The Council will produce the public realm strategies, it is not a requirement of CDH03.</li> <li>2. Setting such minimum criteria is a level of detail beyond that which is considered necessary and appropriate for inclusion within the Local Plan.</li> <li>3. The concept of the 15 minute neighbourhood is supported by the Local Plan.</li> </ol>

<p><b>Policy CDH04 : Tall Buildings</b></p>	<p><b>Council’s strategy unsound as it is not positively prepared, justified, effective or consistent with national policy</b></p> <ol style="list-style-type: none"> <li>1. Policy is open to misinterpretation. It would be better to define tall (and very tall) buildings in relation to their immediate surroundings, to be more sensitive to the local character of an area.</li> <li>2. Policy does not conform with London Plan, which requires that appropriate heights (as well as locations) of tall buildings are defined in boroughs development plans. Whilst SPD can contain further detail on heights, this would not form part of the Plan.</li> <li>3. Policy is ambiguous, both with regard to the nine strategic locations identified in CDH04 and those site allocations where tall buildings are also identified as potentially appropriate. Important that the full extent of potential adverse impacts of such proposals on the historic environment are understood at a stage in the plan-making process early enough to ensure they are avoided.</li> <li>4. Policy criteria for assessing proposals should consider neighbouring low rise residential properties.</li> <li>5. Policy’s flexibility is not consistent with London Plan Policy D9. CDH04 does not provide sufficient clarity on the likely locations of very tall buildings and their potential height.</li> <li>6. Policy does not identify Mill Hill East, the only Growth Area where tall buildings are not identified, missing the opportunity to optimise development.</li> <li>7. Policy supported in terms of siting within an Opportunity or Growth Area. However proposal site 27 should show that this site is an “appropriate siting” within the Edgware Growth Area for very tall buildings.</li> <li>8. Policy should be revised so that Major Thoroughfares are considered as appropriate locations for Very Tall Buildings as well as Tall Buildings.</li> <li>9. Plan nor the Changes to the Policies Map (Reg 19) identify locations for tall buildings, and this is inconsistent with London Plan Policy D9 and therefore not considered sound.</li> <li>10. Policy explains that tall buildings of 15 storeys or more (‘Very Tall’) are not to be permitted unless exceptional circumstances can be demonstrated including appropriate siting within an Opportunity Area or Growth Area. District Centres should also be specifically referenced, especially as some Growth Areas represent smaller town centres than District Centres such as North Finchley.</li> <li>11. Plan has failed to recognise the weight of 2020 appeal decision by the SoS for North London Business Park (NLBP) which found that the site is appropriate for buildings up to 9 storeys. Council has consistently failed to recognise the full potential of the site including not identifying the NLBP site as an area where tall buildings may be appropriate.</li> <li>12. Policy identifies New Southgate Opportunity Area (NSOA). However the boundary of the NSOA needs to be clearly defined, to provide certainty for developers with regard to appropriate locations for tall buildings.</li> <li>13. Policy refers to ‘buildings of 8 to 14 storeys’ which may be appropriate at strategic locations only, including West Hendon which is neither an Opportunity Area or Growth Area but West Hendon still forms part of the adopted Cricklewood, Brent Cross and West Hendon Regeneration Area Development Framework SPG. Evidence base does not reflect the practical implications of the extant planning permission and the physical development on Site. CDH04 is inconsistent with this permission.</li> <li>14. Policy criteria make no reference to access to public transport. It does not refer to the enhanced opportunities provided at</li> </ol>
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	<p>areas in proximity to the West London Orbital (WLO) stations as well as their closeness to recently permitted tall buildings along the A5. Policy should identify Hendon Station as a strategic location for tall buildings.</p> <ol style="list-style-type: none"> <li>15. Policy requires greater clarity with regard to 'appropriate siting'. It is assumed that this means compliance with the criteria listed in Part (e), in which case the words 'appropriate siting' are not required.</li> <li>16. Policy should clarify whether location within an OA or Growth Area would alone be sufficient to demonstrate 'exceptional circumstances.'</li> <li>17. Policy omits any future opportunity for any tall building to come forward within other town centre locations and sets a blanket approach for all town centre sites. It therefore undermines Mayor's policies which seek optimised growth and housing delivery on 'suitable brownfield sites within 800m of town centre boundaries' and contradicts CDH01</li> <li>18. Mayor notes that Barnet defines a category of 'very tall' buildings of 15 storeys or more in Policy CDH04. It would be helpful if the policy clarified if the appropriate locations for 'very tall' buildings is the same as for tall buildings, or is a sub-set of those locations.</li> <li>19. Policy fails to identify Major Thoroughfares on a map with appropriate heights and is too vague to fully comply with London Plan Policy D9. Map 4 should show Major Thoroughfares as Strategic Tall Buildings Locations due to the identified potential of these locations for infill and intensification, whilst being supported by good transport infrastructure.</li> <li>20. Policy will restrict significant public realm and townscape improvements sought by the Council at Finchley Central (site 30) from an appropriate and viable scale of development (likely to include very tall buildings).</li> <li>21. Plan needs a more nuanced and localised definition of tall buildings that would protect low-rise neighbourhoods, where anything over four storeys might appear tall.</li> <li>22. Policy undermines one of Barnet's key objectives: "To conserve and enhance the historic environment of the Borough, particularly the distinctive character and identity of Barnet's town centres and suburbs"</li> <li>23. Policy makes no reference to safety which is a fundamental aspect to any development</li> <li>24. Policy does not consider water courses, artesian wells, that are prominent in town centres, and impact the structural integrity of developments and impacts neighbouring buildings</li> <li>25. Policy suggests medium build are more sustainable, and cost less. Why not have a Medium building policy?</li> <li>26. Policy should consider ground water flow as a factor in the relationship between the building and the public realm, as this can have an adverse environmental impact on neighbouring buildings</li> <li>27. Policy should require developers to support agreed investments/solutions within the local area ensuring meaningful character is kept. These should be clearly explained during the planning process so that the local community affected by the tall buildings, can understand how their needs are being considered</li> <li>28. Policy 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. It is inappropriate to set a singular definition for a tall building and for a very tall building for the entirety of LB Barnet.</li> <li>29. Plan's principle that tall buildings should be confined to certain designated areas and should be turned down in other places is supported. However policy should consider a building "tall" if it more than six storeys.</li> </ol>
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	<p>30. Policy implies that buildings of eight storeys or more could be considered suitable for the Great North Road which passes through the low-rise outer suburb part of our borough for which eight storey buildings are completely inappropriate. As Barnet is predominantly low rise, the council needs to assess all areas of the borough to set an upper limit for each area so that inappropriate planning applications for tower blocks – such as the North London Business Park – would fail.</p> <p><b>Council’s strategy is justified</b></p> <p>31. Plan identifies that tall buildings may be appropriate in specified strategic locations, including along a Major Thoroughfare, such as the A5 Edgware Road. This approach is supported so to make best use of land in a sustainable location and to reflect the evolving character of this corridor.</p> <p>32. Council’s approach is consistent with London Plan Policy D3 which seeks to ensure that site capacity is optimized through the design-led approach, particularly in well-connected locations.</p> <p>33. Policy is considered sound and compliant with aims of the NPPF particularly those relating to the protection and conservation of the Natural Environment.</p>
<p><b>LBB Response &amp; Action</b></p>	<ol style="list-style-type: none"> <li>1. The Policy is clear in identifying strategic locations that may be suitable for tall or very tall buildings. This is consistent with London Plan Policy D9 (B) – Tall Buildings.</li> <li>2. The Plan is in conformity with the London Plan. The Council refers to the Statement of Common Ground with the GLA (EB_SoCG_10) and the Statement of General Conformity with the London Plan (Core_Gen_06).</li> <li>3. The Council considers that a design led approach that helps to shape proposals for Very Tall Buildings is the most appropriate way to address London Plan Policy D9 (B)2. The purpose of the new SPD retitled as ‘Designing for Density’ has been further clarified. <b>ACTION - The Council intend to make a Proposed Modification to CDH04(D) to clarify the role of the SPD.</b></li> <li>4. Policy is not ambiguous. With regards to the impact on the historic environment the Council refers to the Statement of Common Ground with Historic England (EB_SoCG_11).</li> <li>5. Criteria is listed at CDH04 in terms of how it relates to its surroundings.</li> <li>6. See response to CDH04(2).</li> <li>7. Mill Hill East is not a Growth Area.</li> <li>8. Proposal site 27 makes cross reference to Policy CDH04 on Tall Buildings.</li> <li>9. Major Thoroughfares by their linear nature are locations that do not offer the potential benefits of Growth Areas or an Opportunity Area, particularly in terms of having a supply of brownfield and underused land and buildings that are not already part of a designated Growth Area. They also have a greater impact on Locally Important Views.</li> <li>10. See response to CDH04(2).</li> <li>11. District Town Centres such as North Finchley are locations that do not offer the potential benefits of Growth Areas or an Opportunity Area, particularly in terms of having a supply of brownfield and underused land and buildings that are not already part of a designated Growth Area.</li> <li>12. Tall Buildings represent only one model for delivering higher densities and maximising brownfield sites. NLBP is not designated as a Tall Buildings Location in the Local Plan. Whilst the appeal decision provides a specific planning consent</li> </ol>

	<p>which can be implemented, it does not set boroughwide policy. NLBP does not fit the Local Plan's criteria of a Tall Buildings Location.</p> <p>13. See response to GSS01(8).</p> <p>14. West Hendon Estate was identified as a Strategic Location in the 2012 Local Plan (Core_Gen_14) reflecting proposals for its regeneration as a Priority Housing Estate. Following an initial planning consent in 2008 regeneration is well underway at West Hendon with final delivery expected around 2028.</p> <p>15. CDH04 identifies strategic locations which by their very nature have good access to public transport. Policy BSS01 makes this very clear. The relevant policy for Hendon Station is GSS09. The Plan supports residential led development around Hendon Station. Tall buildings are not considered appropriate at this location. Tall Buildings represent only one model for delivering higher densities and maximising brownfield sites.</p> <p>16. The Council sees little merit in removing the words 'appropriate siting' at CDH04(B).</p> <p>17. Location alone is not an exceptional circumstance. Criteria for assessing any proposal for a tall building is clearly set out.</p> <p>18. CDH04 is an appropriate strategy for tall buildings in Barnet. There is no conflict with London Plan Policy H2. The review of the Local Plan is the right framework for identifying strategic locations. London Plan Policy D9 states that Boroughs should determine if there are locations where tall buildings may be an appropriate form of development. This should be done through Development Plans. The Council refers to the Statement of Common Ground with the GLA (EB_SoCG_10).</p> <p>19. Major Thoroughfares are identified on the Key Diagram, and may be appropriate locations for tall buildings. However any proposal in such a location has to address the requirements of CDH04.</p> <p>20. The Council will revise wording for Proposal 30 to clarify that all tall building proposals will be subject to a detailed assessment of how the proposed building relates to its surroundings (with height of neighbouring buildings being of foremost consideration) responds to topography, contributes to character, relates to public realm, natural environment and digital connectivity. <b>ACTION - The Council intend to make a Proposed Modification to Proposal 30 and other proposals in the strategic locations identified in CDH04 to clarify that proposals for tall buildings will be subject to detailed assessment.</b></p> <p>21. The Council will add further text to CD04 to clarify that the potential for tall buildings are highly constrained in Barnet and represent only one model for delivering higher densities and maximising brownfield sites. Therefore, the Council will carefully assess the design and townscape qualities of proposals that may otherwise gradually erode the Borough's predominant suburban and historic character. <b>ACTION - The Council intend to make a Proposed Modification to CDH04 to provide reassurance about having careful regard to the suburban and historic character of Barnet.</b></p> <p>22. See response to CDH04(3).</p> <p>23. The Council has updated Policy CDH01 with regards to Fire Safety in line with the requirements of the Building Safety Act. <b>ACTION - The Council intend to make a Proposed Modification to CDH04 to provide reassurance about fire safety in tall buildings.</b></p> <p>24. CDH04 does reference the natural environment including watercourses. The structural integrity of a proposal is a matter for Building Regulations.</p> <p>25. See response to CDH04(21).</p>
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	<p>26. See response to CDH04(24).</p> <p>27. The Council sets out advice on how to engage with the community on a planning proposal. This is at <a href="https://www.barnet.gov.uk/planning-and-building/tell-neighbours-and-community-about-your-planning-proposal">https://www.barnet.gov.uk/planning-and-building/tell-neighbours-and-community-about-your-planning-proposal</a></p> <p>28. The Tall Buildings Update (EB_DH_04) provides the justification for Tall and Very Tall Buildings.</p> <p>29. The definition established by the 2012 Local Plan of 8 storeys or more was based on the Tall Building Study which followed on from the Characterisation Study (EB_DH_01) . See response to CDH04(21).</p> <p>30. There are safeguards in place within CDH04 with regards to suburban and historic character. See response to CDH04(21).</p>
<b>Policy CDH05 : Extensions</b>	<b>No Responses</b>
<b>Policy CDH06 : Basements</b>	<p><b>Council’s strategy unsound as it is not positively prepared, justified, effective or consistent with national policy</b></p> <ol style="list-style-type: none"> <li>1. Policy can be strengthened by requiring all basement development to incorporate a positively pumped device or other suitable flood prevention device to avoid the risk of sewage backflows which can cause sewer flooding.</li> </ol>
<b>LBB Response &amp; Action</b>	<ol style="list-style-type: none"> <li>1. The forthcoming Sustainable Design and Development Guidance SPD is the best platform for setting out such technical requirements.</li> </ol>
<b>Policy CDH07 : Amenity Space &amp; Landscaping</b>	<p><b>Council’s strategy unsound as it is not positively prepared, justified, effective or consistent with national policy</b></p> <ol style="list-style-type: none"> <li>1. Plan fails to address widespread conversion of front gardens into driveways [outside of conservation areas].</li> <li>2. Supporting text gives the impression that front garden conversions to hardstanding will be refused where there is harm to character and appearance of a conservation area and where garden development is considered to be detrimental to local character. However this is not followed through into policy prescription which is weak.</li> <li>3. Policy should do more to protect all existing trees and hedges and safeguard their root systems during development. Plan should support the Great North Road Hedge to create a continuous green corridor.</li> <li>4. Policy with regard to “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. It needs a clear and measurable metric.</li> <li>5. Policy not considered justifiable in terms of requiring a financial contribution if policy compliant levels of playspace are provided as part of an application.</li> <li>6. Policy not considered justifiable in terms of biodiversity net gain of at least 10%</li> <li>7. Policy requires a contribution to off-site provision where amenity space in a new development is inadequate. Unless the off-site provision is new or enhanced such a contribution merely helps the Council’s maintenance budget, does not improve the amenity space available to the dwellers in the new development and does not therefore meet the purpose of the policy.</li> </ol>
<b>LBB Response &amp; Action</b>	<ol style="list-style-type: none"> <li>1. This is a consequence of widespread Permitted Development rights introduced by the Government. The Local Plan does not have the powers to withdraw such rights.</li> <li>2. As explained in response to CDH07(01) it is difficult for Local Plans to protect front gardens. The policy is framed within the reality of extensive Permitted Development rights which allow for the conversion of front gardens.</li> </ol>

	<ol style="list-style-type: none"> <li>3. Policy makes specific reference to safeguarding trees and their root systems. In terms of safeguarding existing wildlife habitats such as hedges the Policy makes reference to ensuring no net loss of habitat.</li> <li>4. Policy CDH07 does not actually say this. This is a specific reference to tall building proposals in para 6.21.3 which clearly refers to provision of the equivalent to the area of open space that would normally be required. This can be delivered through an integral part of the design.</li> <li>5. Policy CDH07 does not require a financial contribution from policy compliant proposals.</li> <li>6. Biodiversity net gain is a requirement of the Environment Act. Further details are set out at Policy ECC06.</li> <li>7. A requirement of S106 is that the contribution is directly related to the development and makes the development acceptable in planning terms.</li> </ol>
<p><b>Policy CDH08 : Barnet's Heritage</b></p>	<p><b>Council's strategy unsound as it is not positively prepared, justified, effective or consistent with national policy</b></p> <ol style="list-style-type: none"> <li>1. Policy advises that conservation area character appraisals and where applicable, conservation area-based design guidance will be used in the assessment of planning applications. Council should commit to and commence a review and update of all Appraisals to ensure applications are appropriately assessed.</li> <li>2. Policy as a whole could be made more straightforward through the removal of the first two overarching paras, which in effect repeat text elsewhere.</li> <li>3. Plan leaves non-designated designed landscapes of heritage value unprotected from the impacts of development either within the open space or, arising from development outside. There is a discrepancy between the Historic England (HE) advice and the Barnet local list criteria relating only to buildings and structures. This leaves cultural landscapes, as defined by HE unrecognised and therefore unprotected in Barnet.</li> <li>4. Policy fails to consider the borough's heritage assets of designed landscapes such as parks, gardens, squares, churchyards, cemeteries and other sites of historic interest.</li> <li>5. Plan's proposals for the Hendon Hub, by virtue of their size, scale, and density pose major threats to the character and heritage of the area, as outlined in the 2011 and 2012 Character Appraisals for The Burroughs and Church End. Proposed developments provide no public benefit to residents.</li> <li>6. Policy at clause (i) in relation to conservation areas is not clear in what it is directing the decision maker to do, when a proposal is submitted as part of a planning application. It suggests through the wording "will be resisted" that there is a policy objection to demolishing buildings, which are considered to make a positive contribution to the character or appearance of a conservation area. The wording of the policy indicates that the Council's starting policy position is to resist demolition of buildings that are considered to make a positive contribution to the character or appearance of a conservation area per se.</li> </ol> <p><b>Council's strategy is justified</b></p> <ol style="list-style-type: none"> <li>7. Supportive the overall thrust of proposed Policy CDH08 which is reflective of the relevant statute and NPPF and PPG.</li> <li>8. Policy sets out a helpful understanding of the borough's current position in relation to the historic environment.</li> </ol>
<p><b>LBB Response &amp; Action</b></p>	<ol style="list-style-type: none"> <li>1. The Council has set out its intention to review its suite of Conservation Area Character Appraisals and associated guidance.</li> </ol>

	<ol style="list-style-type: none"> <li>2. The Council refers to its Statement of Common Ground with Historic England (EB_SoCG_11). <b>ACTION The Council intend to make a Proposed Modification to CDH08 to clarify the wording.</b></li> <li>3. Historic England support the separate sections of policy CDH08 relating to different types of heritage asset. See Statement of Common Ground with Historic England (EB_SoCG_11).</li> <li>4. See response to CDH08(03).</li> <li>5. Planning permission (Ref 21/47722/FUL) has now been granted for sites within the group known as the Hendon Hub.</li> <li>6. See response to CDH08(03).</li> </ol>
<p><b>Policy CDH09 : Advertisements</b></p>	<p><b>Council's strategy unsound as it is not positively prepared, justified, effective or consistent with national policy</b></p> <ol style="list-style-type: none"> <li>1. Policy is in part more relevant to the section on public realm and reducing street clutter rather than on any advertisement which may utilise existing street furniture.</li> <li>2. Policy that “shopfront advertisements will generally only be acceptable at the ground floor level, at fascia level or below” is unrealistic and unduly restrictive.</li> <li>3. No reference is currently made to the Strategic Road Network or Highways England within this Local Plan policy. Highways England should be consulted on any advertisement proposals close to the strategic road network (SRN) and Highways England will need to consider its location, if visible from the SRN, its size, brightness/lighting (if any) and its effect on public safety.</li> <li>4. The display of advertisements is subject to a separate consent process within the planning system. This is principally set out in the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.</li> </ol>
<p><b>LBB Response &amp; Action</b></p>	<ol style="list-style-type: none"> <li>1. CDH08 highlights the expectation that advertisements should be sensitively designed and located.</li> <li>2. Supporting text at para 6.34.4 makes it clear that shopfront adverts above fascia level can be visually obtrusive, especially when illuminated. The policy wording is reasonable.</li> <li>3. The Council agrees to revise Policy and supporting text to highlight requirement to consult National Highways on the road safety aspects of advertisements proposed alongside the SRN <b>ACTION The Council intend to make a Proposed Modification to CDH09 and supporting text to clarify consultation with National Highways.</b></li> <li>4. This consent process is clearly set out in para 6.34.7.</li> </ol>
<p><b>TOWN CENTRES</b></p>	
<p><b>Policy TOW01 : Vibrant Town Centres</b></p>	<p><b>Council's strategy unsound as it is not positively prepared, justified, effective or consistent with national policy</b></p> <ol style="list-style-type: none"> <li>1. Policy should state explicitly that town centre policy is underpinned by reducing car dominance in the town centre; and promoting sustainable travel to / from the town centre.</li> <li>2. Policy fails to recognise that town centres are unattractive because they are dominated by polluting, noisy and dangerous traffic.</li> <li>3. Policy requirement for a sequential and impact assessment for replacement/re-provision of main town centre uses in out of</li> </ol>



	<p>centre locations should be revised to exclude established locations if there is no net uplift of on-site main town centre uses.</p> <ol style="list-style-type: none"> <li>4. Policies on town centres do not reflect the reality of the contraction of retail recent changes to classifications (the majority of commercial properties now in Class E). If the aspirations in the policies are to be sustained there needs to be reference to more robust protection such as using Article 4 Direction wherever possible.</li> <li>5. Policy should be revised with regard to Brent Cross expressly to refer to residential accommodation forming part of the mix of uses provided. reference to Brent Cross in Part (a) should be Brent Cross Growth Area.</li> <li>6. Policy needs to acknowledge existing retail parks in accessible locations as sequentially preferable sites for main town centre uses.</li> <li>7. Policy fails to acknowledge that the sequential test should be proportionate to the scale and nature of a proposal. Furthermore, the proposed threshold of 500sqm is significantly below the national threshold of 2,500sqm as set out in para 90 the NPPF and is unjustified.</li> <li>8. Plan must set out a strategy for implementing the policies in TOW01, TOW02 and ECY01. The Council must devise and set out a strategy for implementing these policies in the context of the new Permitted Development rights and para 53 of the NPPF.</li> </ol>
<p><b>LBB Response &amp; Action</b></p>	<ol style="list-style-type: none"> <li>1. The Local Plan endorses a greater range of sustainable transport options and a modal shift to reduce car travel, which will include the Healthy Streets approach to reduce car dominance and improve street safety, comfort and amenity to promote walking and cycling.</li> <li>2. This policy should be considered in conjunction with GSS08 which sets out strategic policy with regard to town centres.</li> <li>3. Sequential test and impact assessment requirements are still supported by the NPPF.</li> <li>4. The Plan is realistic about the impact of COVID19 and the rapid introduction of Use Class E in 2020. There is a need to develop policy on the basis of evidence rather than a knee jerk reaction. This is a challenge for the next review of the Local Plan and any future consideration of Article 4 Directions.</li> <li>5. The Council agrees to clarify that references to Brent Cross will be changed to refer to the Brent Cross Growth Area. A reference to housing as part of the mix of uses is merited. <b>ACTION The Council intend to make a Proposed Modification to TOW01 with regard to Brent Cross Growth Area and the inclusion of housing as part of the mix.</b></li> <li>6. Out of town centre retail parks are not sequentially preferable locations for main town centre uses. They do not form part of the Council's strategy to create thriving town centres.</li> <li>7. TOW01 is consistent with the requirements of the NPPF. With regards to proportionality of the sequential test (see NPPF para 89). Para 90 of the NPPF allows locally set thresholds.</li> <li>8. The Local Plan together with strategies outlined in Figure 2 remains the network of strategies for implementation. Outside of the Local Plan the Council continues to consider its options on Article 4 Directions supported by a robust evidence base.</li> </ol>

<p><b>Policy TOW02 : Development Principles in Barnet's Town Centres, Local Centres &amp; Parades</b></p>	<p><b>Council's strategy unsound as it is not positively prepared, justified, effective or consistent with national policy</b></p> <ol style="list-style-type: none"> <li>1. Policy part (h) of the policy is unsound because it conflicts with national policy and regulations. New PDR applies to buildings which have been vacant for at least three continuous months immediately prior to the date of the application for prior approval. Nor is there any requirement in national policy for evidence of continuous marketing over a 12-month period. Given the shortages in housing supply in London compared to need, these restrictions are doubly unjustified.</li> <li>2. Policy should support converting vacant retail units for use as cycle hubs.</li> </ol>
<p><b>LBB Response &amp; Action</b></p>	<ol style="list-style-type: none"> <li>1. The new PDR rules will only apply to buildings which have been in Class E use (or prior to 1 September 2020 any predecessor use class A1, A2, A3, B1, D1(a), D1(b) or D2(e)) for a continuous period of at least 2 years prior to the date of the prior approval application. Therefore any buildings in Class E to Class MA which have been vacant for at least 3 continuous months immediately prior to the date of the application for prior approval are exempted from a 12 month marketing period. New PDR under new Class MA came into force on 1<sup>st</sup> August 2021 (when Barnet was half way through its Reg19 consultation). This 3 month rule does not apply to any other Use Classes such as Class F1, F2, B2, B8, C1, C2, C2A, C3, C4, Sui generis and the 12 month rule will apply. <b>ACTION The Council intend to make a Proposed Modification to TOW02 (h) with regard to Permitted Development Regulations.</b></li> <li>2. Opportunities for the temporary (meanwhile) use of vacant buildings or land awaiting longer term development for a socially beneficial purpose, are encouraged through this policy as well as HOU05 and ECY01.</li> </ol>
<p><b>Policy TOW03 : Managing Hot Food Takeaways, Adult Gaming Centres, Amusement Arcades, Betting Shops, Payday Loan Shops, Pawnbrokers &amp; Shisha Bars</b></p>	<p><b>Council's strategy unsound as it is not positively prepared, justified, effective or consistent with national policy</b></p> <ol style="list-style-type: none"> <li>1. Policy should reference, and be in accordance with, Barnet's Joint Health and Wellbeing Strategy.</li> <li>2. Policy should consider impact on crime and antisocial behaviour</li> <li>3. Policy should require installation of fat traps to prevent blockages and protect Thames Water's assets within the Borough.</li> </ol>
<p><b>LBB Response &amp; Action</b></p>	<ol style="list-style-type: none"> <li>1. The Council's approach is supported by the Health and Wellbeing Strategy's (EB_S_11) commitment to creating a healthier place.</li> <li>2. The associations of such uses with crime and anti-social behaviour is clearly set out in the supporting text.</li> <li>3. The Council agrees to make a reference to the need for fat/grease traps in hot food and takeaway establishments. <b>ACTION The Council intend to make a Proposed Modification to TOW03 with regard to fat traps.</b></li> </ol>

<p><b>Policy TOW04 : Night-Time Economy</b></p>	<p>No Responses</p>
<p><b>COMMUNITY USES, HEALTH &amp; WELLBEING</b></p>	
<p><b>Policy CHW01 : Community Infrastructure</b></p>	<p><b>Council’s strategy unsound as it is not positively prepared, justified, effective or consistent with national policy</b></p> <ol style="list-style-type: none"> <li>1. Policy should reflect the role of specialist older persons’ housing in improving the health and wellbeing of the Borough’s elderly</li> <li>2. Policy does not offer the same level of support for development at schools to correspond with para 95 of the NPPF.</li> <li>3. Policy evidence base (Indoor Sport and Recreation study) identified need for increased pay-and-play accessible water space by 2036 but the four sites are not in town centres or easily reached by sustainable transport. Safe cycling routes and good public transport needs to be provided. Having to wait until 2036 for increased provision is unacceptable.</li> <li>4. Policy on assets of community value (ACV) requires clarification as it no longer sets out an objective test that a facility is no longer required.</li> <li>5. Policy provides no objective test of what it means to support and promote an alternative use.</li> <li>6. Policy lacks the requirement for at least equivalent quantity and location required by NPPF para 99.</li> <li>7. Policy requires clarification on coverage of playing fields and outdoor sports facilities.</li> <li>8. Policy fails to address the need for flexibility within the NHS estate. Policies aimed at preventing the loss or change of use of community facilities and assets, where healthcare is included within this definition, can have a harmful impact on the NHS’s ability to ensure the delivery of facilities and services.</li> <li>9. Policy with regard to loss or replacement of existing community facilities needs to be considered in regard to site-specific circumstances and on a case-by-case basis. Proposals that result in a loss of a community facilities may deliver other substantive public benefits that outweigh the loss of the facility.</li> <li>10. Policy 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.</li> <li>11. Policy is not consistent with NPPF para 93 which requires planning policies to plan positively for the provision and use of community facilities. It also requires policies to ‘guard against’ the ‘unnecessary’ loss of valued facilities services, particularly where this would reduce the community’s ability to meet its day-to-day needs.</li> <li>12. Policy wording is unclear in relation to where the loss community infrastructure is acceptable, in particular where community infrastructure which serves a specific community/requirement is re-provided outside the plan area.</li> <li>13. Policy should be in accord with London Plan in terms of redevelopment or disposal of surplus NHS sites Redevelopment of NHS sites and the introduction of housing and other uses provides vital investment to re-invest in new and improved health facilities which are fit for purpose.</li> </ol> <p><b>Council’s strategy is justified</b></p> <ol style="list-style-type: none"> <li>14. Policy helps protect valued facilities in Barnet from unnecessary loss in line with the NPPF and London Plan, and facilitates new facilities in the Borough.</li> <li>15. Policy ensures that community facilities are provided for Barnet’s communities.</li> </ol>

	<p>16. Policy enables the enhancement of community infrastructure whilst also providing sufficient flexibility to provide a replacement facility, of better quality, off site.</p> <p>17. Policy allows for appropriate development to come forward in the right places to meet the needs of the Borough and demands of the market.</p>
<p><b>LBB Response &amp; Action</b></p>	<ol style="list-style-type: none"> <li>1. A specific reference is not merited. CHW01 focuses on community infrastructure. Policy HOU04 on Specialist Housing and Policy CHW02 on Promoting Health and Wellbeing.</li> <li>2. Para 95 of NPPF 2021 was previously para 94 of NPPF 2019. The Council made revisions to CHW01 in response to representations made by the Department of Education at Reg 18 stage.</li> <li>3. Such facilities can only be successful if they are accessible by a range of transport modes including the car. In supporting and planning for destination hubs it is essential that accessibility forms a fundamental element of proposals. There is no reference in the Local Plan to these being provided as late as 2036.</li> <li>4. In order to clarify ACVs as a material consideration in decision making the Council will delete 'or nomination'. <b>ACTION The Council intend to make a Proposed Modification to CHW01 to clarify ACVs.</b></li> <li>5. CHW01 is clear that proposals should demonstrate that the community facility is no longer required and that it is not suitable for any other forms of social infrastructure for which there is a need in the IDP.</li> <li>6. Para 99 of NPPF 2021 is specific to sports and recreational buildings. CHW01 covers a wider spectrum of Community Infrastructure and is consistent with para 99.</li> <li>7. See response to CHW01(06).</li> <li>8. The Council agrees to reflect more flexibility with regards to healthcare assets. <b>ACTION The Council intend to make a Proposed Modification to CHW01 to clarify that loss should be considered as part of a wider public service transformation plan which requires investment in modern, fit for purpose infrastructure and facilities.</b></li> <li>9. Policy enables the enhancement of community infrastructure whilst also providing sufficient flexibility to provide a replacement facility, of better quality, off site.</li> <li>10. There is no need to make specific reference to re-provision within a mixed use development.</li> <li>11. CHW01 does plan positively for community needs and is supported by an Infrastructure Delivery Plan (Core_Gen_19) published in 2021 and a new CIL Charging Schedule (CS106_06) which came into operation on April 1<sup>st</sup> 2022.</li> <li>12. CHW01 is clear about how it will assess proposals involving the loss of community uses.</li> <li>13. The Plan is in general conformity with the London Plan. The Council refers to the Statement of Common Ground with the GLA (EB_SoCG_10) and the Statement of General Conformity with the London Plan (Core_Gen_06) and with Barnet CCG / HUDU (EB_SoCG_09).</li> </ol>
<p><b>Policy CHW02 : Promoting</b></p>	<p><b>Council's strategy unsound as it is not positively prepared, justified, effective or consistent with national policy</b></p> <ol style="list-style-type: none"> <li>1. Policy does not contain a clear reference to the importance of access to green/blue infrastructure and open space for health and wellbeing.</li> </ol>

<p><b>health &amp; wellbeing</b></p>	<ol style="list-style-type: none"> <li>2. Plan needs to commit that applying the healthy streets approach will mean that Council will direct all possible funding towards healthy streets schemes across the borough and by adopting these policies in all planning decisions.</li> <li>3. Plan describes a biodiversity metric which purports to assess an area's value to wildlife. This needs to include light pollution. This will help offer immediate and better protection of the bio-environment and health.</li> <li>4. Policy should acknowledge the role of specialist older persons' housing in improving the health and wellbeing of the Borough's elderly residents.</li> </ol> <p><b>Council's strategy is justified</b></p> <ol style="list-style-type: none"> <li>5. Policy seeks to allocate developer contribution towards the provision of health and social care facilities.</li> <li>6. Plan has improving health and well-being as a theme throughout the whole document and this is highlighted by a specific policy.</li> <li>7. Policy includes Active Design to help achieve the Council's health and wellbeing aspirations.</li> <li>8. Policy references to the Healthy Streets Approach and sustainable and active travel is supported.</li> <li>9. Council's aspirations to improve the health and wellbeing of its residents is commendable.</li> <li>10. Policy provides a comprehensive policy framework to support health and wellbeing.</li> <li>11. Policy supports the use of developer contributions for healthcare infrastructure.</li> <li>12. Policy clarifies the role of Health Impact Assessments (HIAs) on larger developments.</li> </ol>
<p><b>LBB Response &amp; Action</b></p>	<ol style="list-style-type: none"> <li>1. There is a clear reference to the importance of such access in para 8.19.1 and also policies ECC04 to ECC06 relate to parks, open spaces and biodiversity.</li> <li>2. Such a commitment is beyond the scope of the Local Plan.</li> <li>3. The Biodiversity Metric is a calculation tool produced by Natural England and used for measuring biodiversity.</li> <li>4. See response to CHW01(01).</li> </ol>
<p><b>Policy CHW03 : Making Barnet a safer place</b></p>	<p><b>Council's strategy unsound as it is not positively prepared, justified, effective or consistent with national policy</b></p> <ol style="list-style-type: none"> <li>1. Policy needs to require developers with whom the Council partners on schemes to show a proactive approach to fire safety, including a history of this in the past, or of correcting issues that have arisen.</li> <li>2. Policy needs a specific reference to making Barnet a safer place for women and girls, taking that as a starting point to inform design and planning that will benefit everyone.</li> <li>3. Policy needs a specific reference to a public health approach to crime, particularly youth crime, linked to policy CHW01 and to the Joint Health and Wellbeing Strategy.</li> </ol>
<p><b>LBB Response &amp; Action</b></p>	<ol style="list-style-type: none"> <li>1. Policy CDH01 will be updated as necessary to accord with the planning requirements of the Building Safety Act with regards to fire safety.</li> <li>2. CHW03 seeks to make Barnet a safer place for all and references the need to promote safer streets and public areas, including open spaces.</li> <li>3. CHW03 sets out what the planning system can do to make the Borough a safer place. Public Health have a role in contributing to planning decision making.</li> </ol>

<b>Policy CHW04 : Protecting Public Houses</b>	<b>Council’s strategy unsound as it is not positively prepared, justified, effective or consistent with national policy</b> 1. Policy is silent on providing much needed housing where it is demonstrated that a public house is no longer in demand.
<b>LBB Response &amp; Action</b>	1. The Plan has several policies about delivering much needed housing. It has one policy on Protecting Public Houses that have a heritage, cultural, economic or social value.
<b>ECONOMY</b>	
<b>Policy ECY01 : A Vibrant Local Economy</b>	<b>Council’s strategy unsound as it is not positively prepared, justified, effective or consistent with national policy</b> 1. Policy should be revised to support industrial uses within Brent Cross Growth Area. 2. Policy should be revised to support mix use development providing housing where there is no net loss of employment floorspace and the residential use is compatible with surrounding uses. 3. Policy should be clarified with regard to Brent Cross Growth Area being considered an ‘allocated site’ as this might prevent certain employment uses such as last-mile logistics coming forward at Brent Cross 4. Policy is insufficiently visionary about job creation. Plan needs to be more proactive and imaginative, for example linking provision of new kinds of jobs and new kinds of homes. 5. Policy is overly rigid and does not allow for circumstances whereby a locally significant industrial site (LSIS) site can accommodate enhanced employment provision (either through quality improvements and/or increased floorspace) but also presents an opportunity to maximise other uses such as residential. 6. Policy is also inconsistent with London Plan which does not require co-location schemes to be ‘employment led’. 7. Policy designates Hurricane Trading Estate and the adjacent Travis Perkins site as a new Locally Significant Industrial Site (LSIS) despite emerging proposals to regenerate and intensify the site. Policy has significant potential to stifle the opportunity to intensify the planning benefits offered by redevelopment. 8. Policy designates Nos. 30-120 Colindeep Lane as an ‘Area of Business Location’. The Plan fails 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’. 9. Policy 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. 10. Plan contains very few measures to protect employment land from housing development and Policy ECY01 allows this to take place so long as a financial contribution is made. Given residential values will always exceed employment land values, the reduction in employment land will only continue unless strong policies are in place.

	<ol style="list-style-type: none"> <li>11. Policy fails to designate Tech Hubs or Research &amp; Development sites which have the potential to bring skilled, well paid employment to Barnet and as such will mean that job creation is limited to office and retail.</li> <li>12. Plan should take a more positive approach to job creation with a target for the number of jobs to be created linked to the number of new homes built so that additional new homes can only be built if a there is a corresponding number of jobs created. This would help to reinforce the link between housing and employment, something which will be essential for a sustainable society.</li> <li>13. Policy is unclear on assessing alternative uses on non-designated employment sites. It should clarify that the non-designated employment sites relate to those sites in office and industrial use only.</li> <li>14. Policy should be revised to remove the requirement for premises to be vacant for over 12 months as an owner would commence marketing ahead of vacancy. The primary consideration should be whether there is a reasonable prospect of the site being occupied for the relevant employment use. <b>Council’s strategy is justified</b></li> <li>15. Policy supports economic growth and productivity in line with para 82 of the NPPF, and also seeks to make the most effective use of suitable sites.</li> <li>16. Policy criteria applied to Friern Bridge Retail Park would support it as a suitable redevelopment site in the future for logistics and distribution.</li> </ol>
<p><b>LBB Response &amp; Action</b></p>	<ol style="list-style-type: none"> <li>1. Supporting text at para 9.9.1 will be revised to clarify that Brent Cross Growth Area is a location with a focus for accommodating office development and light industrial uses appropriate for town centres, with other employment uses being considered where it can be shown that they are able to operate without negatively impacting upon other uses. <b>ACTION The Council intend to make a Proposed Modification to para 9.9.1 to highlight this flexibility.</b></li> <li>2. Policy is clear on safeguarding employment land and the potential for co-location with residential on LSIS. The introduction of residential should not prejudice its ability to function as an area for industry.</li> <li>3. The Council does not consider that all of the Growth Area in terms of Policy ECY01 is an allocated employment site. ECY01 emphasises town centres and LSIS as the preferred location for employment space. Revised wording for para 9.9.1 is acceptable with further additional text as this reflects that proposals for logistics are not ruled out but do have to be carefully considered in terms of negative impacts. <b>ACTION The Council intend to make a Proposed Modification to para 9.9.1 to highlight that proposals for logistics uses should minimise impact on residential streets and be located close to tier one and tier two roads.</b></li> <li>4. The Plan’s Vision highlights that the positive benefits of growth and investment will be accessible to residents. The Plan makes the connection with the Council’s Work, Skills and Productivity Action Plan (EB_E_11) for setting out Barnet’s jobs priorities.</li> <li>5. See response to ECY01(02).</li> <li>6. The Council refers to the Statement of Common Ground with the GLA (EB_SoCG_10) and the Statement of General Conformity with the London Plan (Core_Gen_06).</li> <li>7. These sites have been designated on the basis of the Barnet Employment Land Review (EB_E_04). Identification of new sites for employment safeguarding is consistent with the London Plan</li> </ol>

	<ol style="list-style-type: none"> <li>8. See response to ECY01(07). The Council acknowledges that while LSIS are clearly defined, Business Locations are not. <b>ACTION The Council intend to make a Proposed Modification to para 9.9.1 to define Business Locations.</b></li> <li>9. See response to ECY01(02).</li> <li>10. See response to ECY01(02).</li> <li>11. There is potential for such Hubs to come forward in the Growth Areas. Designating them doesn't necessarily mean they will happen.</li> <li>12. There is no requirement within planning to match housing numbers with job numbers. The Plan wants residents to enjoy the positive benefits of growth and ensure that they can access skills and employment opportunities, creating sustainable places where people choose to work, rest and stay.</li> <li>13. The Council considers that ECY01(l) is clear in how such proposals will be considered. Non designated employment sites can contain B2 and B8 uses as well as the former B1a and B1c use classes that form part of Use Class E.</li> <li>14. The 12 months vacancy period ensures allowing time for a reasonable prospect of reuse for employment purposes.</li> </ol>
<p><b>Policy ECY02 : Affordable Workspace</b></p>	<p><b>Council's strategy unsound as it is not positively prepared, justified, effective or consistent with national policy</b></p> <ol style="list-style-type: none"> <li>1. Policy requirement has not been fully considered as part of the Local Plan Viability Assessment (May 2021). Affordable workspace is only tested as part of mixed use, residential schemes and there is no typology which reflects a commercial-only scheme.</li> <li>2. Plan includes a formula used to calculate off-site contributions. The rationale for the formula is unclear and has the potential to require significant financial contributions.</li> <li>3. Policy should clarify what area of Brent Cross i.e. Growth Areas or Opportunity Area it is referring to.</li> <li>4. Policy does not set out the level of discount to market rents that the Plan expects the 10% of gross floorspace to be let at by the developer.</li> <li>5. Policy is silent on the extent of fitting out obligations on the developer, which should be limited to Cat A fit out.</li> <li>6. Policy fails to provide sufficient detail to ensure flexibility and effective implementation.</li> <li>7. Policy fails to set out what constitutes a 'designated employment area', 'new employment space' and an 'Area of Business Location'.</li> <li>8. Policy uses 'gross new floorspace'. It would be more appropriate to calculate 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.</li> <li>9. Policy should be modified to ensure that affordable workspace is only required where viable to address an identified local need.</li> </ol> <p><b>Council's strategy is justified</b></p> <ol style="list-style-type: none"> <li>10. Plan provides for affordable workspace obligations to be provided either on or off-site. This is welcomed as on-site affordable workspace can affect the feasibility of commercial development.</li> </ol>



<p><b>LBB Response &amp; Action</b></p>	<ol style="list-style-type: none"> <li>1. The Council considers that the Viability Assessment (Core_Gen_01) provides a robust assessment of proposed development types in the Borough and supports the application of the Affordable Workspace policy.</li> <li>2. The Council considers that this is a reasonable requirement. The rationale for applying the formula is that developers are aware that provision can be made for off-site contributions if they cannot provide on site.</li> <li>3. The Council agrees to clarify that references to Brent Cross will be changed to refer to the Brent Cross Growth Area. <b>ACTION The Council intend to make a Proposed Modification to TOW01 with regard to Brent Cross Growth Area and the inclusion of housing as part of the mix.</b></li> <li>4. Neither the draft Local Plan nor the London Plan go into this level of detail. Setting the percentage of rental discount is dependant on a number of factors and will be part of the S106 negotiations at the time of consent. Such factors may include, if there are existing tenants that are to be re-provided for, or if the proposed future tenants are known.</li> <li>5. The Council agrees that this should be clarified. <b>ACTION: The Council intend to make a Proposed Modification to the Policy ECY02 to include Cat A requirement.</b></li> <li>6. Policy is clear and consistent with London Plan policy E3 – Affordable Workspace.</li> <li>7. What constitutes a designated employment area and what uses contribute to employment space is made clear by ECY01. In terms of Business Locations see response to ECY01(08).</li> <li>8. The Local Plan Viability Assessment has utilised GIA. It is considered that Net Internal Area does not reflect the amenity areas of the building and would lessen the value of contributions.</li> <li>9. ECY02 sets out the locations where affordable workspace will be required. All S106 requirements are subject to viability considerations.</li> </ol>
<p><b>Policy ECY03 : Local Jobs, Skills &amp; Training</b></p>	<p><b>Council’s strategy unsound as it is not positively prepared, justified, effective or consistent with national policy</b></p> <ol style="list-style-type: none"> <li>1. Policy requires compliance with the Council’s Delivering Skills, Employment, Enterprise and Training (SEET) from Development SPD (2014) or any subsequent SPDs. This is unreasonable because the SPD has not gone through the same challenge process as adopted policies.</li> <li>2. Requirements of the SPD are massively onerous and monetary calculations are outrageously high with no proper justification. This document needs to be reviewed thoroughly as part of the new Local Plan requirements.</li> <li>3. Policy fails to mention green skills.</li> </ol>
<p><b>LBB Response &amp; Action</b></p>	<ol style="list-style-type: none"> <li>1. It is important for policies to clearly signpost the supporting documents that will supplement them. The Council has no intention of producing SPDs that are contrary to the purpose of such documents as defined in the NPPF.</li> <li>2. The existing SPD will be replaced and elements of it will be incorporated into the new Planning Contributions SPD. This will be subject to public consultation.</li> <li>3. The Council has signposted the Work, Skills and Productivity Action Plan. This is the more appropriate document to set out specific skill requirements.</li> </ol>
<p><b>ENVIRONMENT &amp; CLIMATE CHANGE</b></p>	

<p><b>Policy ECC01 : Mitigating Climate Change</b></p>	<p><b>Council’s strategy unsound as it is not positively prepared, justified, effective or consistent with national policy</b></p> <ol style="list-style-type: none"> <li>1. Policy is ineffective and contrary to the direction of national regulation. Matters relating to construction and performance of residential buildings is an area that is subject to great change as a feasible pathway to zero carbon homes is devised. Risk that local plan policies become out-of-date swiftly.</li> <li>2. Plan describes a biodiversity metric which purports to assess an area’s value to wildlife. This biodiversity metric must include light pollution which has a well-documented impact on human and environmental health.</li> <li>3. Policy should make clear that historic buildings may need different and non-standard interventions to reduce energy consumption and carbon emissions to avoid effects on significance.</li> <li>4. Policy needs to be strengthened to show how the Local Plan helps meet the target of net zero carbon dioxide rather than simply ‘minimising’ the effect of development on climate change. Needs to be making existing homes energy efficient; ensuring that Barnet has electric buses; creating new green spaces and preserving current ones: speeding up the installation of solar panels: supporting a dense network of zero-carbon shared mobility by 2024.</li> <li>5. Policy needs to reflect that sometimes site constraints such as the historic environment may entail it’s not possible to achieve emission targets on site. A flexible approach is required as to the most appropriate technologies in any particular circumstances or whether a carbon offset payment would be preferable.</li> <li>6. Policy should not be prescriptive with regard to how net-zero may be achieved.</li> <li>7. Policy of implementing significantly enhanced sustainability measures particularly when balanced against other local plan priorities and given the Government’s clear commitment and incremental progress towards achieving net zero is questionable.</li> <li>8. Policy in it’s support of enhanced design and sustainability standards as required in the London Plan is not feasible as the evidence base supporting the London Plan is not credible.</li> <li>9. Policy should make a specific reference to the need to avoid urban heat islands, and avoiding flash flooding, or overflow into rivers, by designing in, or retaining, green space.</li> <li>10. Policies supporting the Growth Areas do not specify any requirement around reducing carbon emissions and net zero development.</li> <li>11. Policy requirements highlight lack of ambition within the Plan in tackling climate change and reducing carbon emissions. Many of these need strengthening in terms of reducing energy use and reducing carbon emissions.</li> <li>12. Council’s strategy needs to be much more transparent to residents about use of carbon offset funds.</li> <li>13. Policy fails to stop the use of natural gas as a fuel source in new development. Building fossil fuelled energy into new development is an approach that locks in carbon emissions for the long term and guarantees that replacement/retrofit will be required in the future.</li> </ol> <p><b>Council’s strategy is justified</b></p> <ol style="list-style-type: none"> <li>14. Policy is supported in terms of concentrating growth in the identified Growth Areas, as infrastructure is able to be built here to ensure that climate impacts are reduced.</li> <li>15. Supportive of the Council’s position to minimise contributions to climate change.</li> <li>16. Policy is supported by NHS which is committed to reaching ‘net zero’ carbon by 2040 and an 80% reduction in emissions by</li> </ol>
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	2028 to 2032.
<b>LBB Response &amp; Action</b>	<ol style="list-style-type: none"> <li>1. ECC01 is consistent with NPPF and national Buildings Regulations. It is in general conformity with the London Plan as evidenced by the Mayor’s Statement (Core_Gen_06).</li> <li>2. The remit of the Biodiversity Metric has been set by Natural England.</li> <li>3. The Council agrees that historic buildings may need different and non-standard interventions to reduce energy consumption and carbon emissions to avoid effects on significance. <b>ACTION The Council intend to make a Proposed Modification to ECC01 with regard to historic buildings.</b></li> <li>4. ECC01 is consistent with the approach in the London Plan and the objective to make London zero-carbon by 2050. The Mayor welcomes Barnet’s aim to minimise its contribution to climate change and improve air quality. Mitigating Climate Change is not just the responsibility of the Local Plan, other Council strategies in particular the Sustainability Strategy (EB_GI_20) are setting out in more detail what can be done within Barnet in terms of targets and commitments to reduce carbon emissions.</li> <li>5. See response to ECC01(03).</li> <li>6. ECY01 is consistent with the approach in the London Plan and the objective to make London zero-carbon by 2050.</li> <li>7. See response to ECC01(01).</li> <li>8. The London Plan was published in March 2021 after a lengthy examination process. Barnet’s Local Plan EIP is not the platform for re-examining evidence that supports the London Plan.</li> <li>9. See response to ECC01(01). Policy will be supported by SPD on Sustainable Design and Development Guidance as well as Green Infrastructure which will provide more details on mitigating climate change.</li> <li>10. ECY01 is applicable to all development in Barnet.</li> <li>11. See response to ECC01(04).</li> <li>12. The Council will ensure that the carbon offset fund is fully transparent and that this is reported in future through the Authorities Monitoring Report (AMR).</li> <li>13. This is a matter for Building Regulations not the Local Plan.</li> </ol>
<b>Policy ECC02 : Environmental Considerations</b>	<p><b>Council’s strategy unsound as it is not positively prepared, justified, effective or consistent with national policy</b></p> <ol style="list-style-type: none"> <li>1. Policy is unreasonable in requiring an initial noise risk assessment for all minor development (including conversion and the provision of one dwelling).</li> <li>2. Policy needs to be clearer on how the impacts of air pollutants can be mitigated.</li> <li>3. Plan does not address the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.</li> <li>4. No reference is currently made to the strategic road network (SRN) or Highways England within this Local Plan policy. For sites positioned close to the SRN carriageway and junctions, it will be necessary to ensure that the proposals mitigate appropriately the potential for ground conditions, lighting, noise and vibration impacts. In terms of noise, we would expect the site masterplan to be designed to minimise the exposure of noise-sensitive receptors to strategic traffic, using either or a</li> </ol>

	<p>combination of a landscape buffer and acoustic bund designed to shield the settlement from motorway noise.</p> <ol style="list-style-type: none"> <li>5. Also need to ensure that drainage, landscaping, lighting and boundary treatment proposals for the proposals in accordance with the DfT Circular 02/2013 Annex A A1, which states that all noise fences, screening and other structures must be erected on the developers land, and far enough within the developers land to enable maintenance to take place without encroachment onto highway land.</li> <li>6. Impacts arising from any disruptions during construction, noise, vibration, traffic volume, composition or routing and transport infrastructure modification should be fully assessed and reported.</li> </ol>
<p><b>LBB Response &amp; Action</b></p>	<ol style="list-style-type: none"> <li>1. The requirements on noise are already set out in the Council’s adopted SPD on Sustainable Design and Construction (2016).</li> <li>2. Policy will be supported by the forthcoming SPD on Sustainable Design and Development Guidance which will provide more details on mitigating air pollution.</li> <li>3. Policy will be supported by the forthcoming SPD on Sustainable Design and Development Guidance which will provide more details on mitigating light pollution.</li> <li>4. The Council agrees to revise the supporting text and make reference to Circular 02/2013 explaining that for sites close to the SRN carriageway and junctions, it will be necessary to ensure that proposals mitigate appropriately the potential for ground conditions, lighting, noise and vibration impacts. LBB notes that no specific distance is highlighted in Circular 02/2013. <b>ACTION The Council intend to make a Proposed Modification to the supporting text to ECC01 with regard to proximity of new development to the SRN.</b></li> <li>5. See response to ECC02A(07).</li> <li>6. Policy will be supported by the forthcoming SPD on Sustainable Design and Development Guidance which will provide more details on mitigating these disruptions.</li> </ol>
<p><b>Policy ECC02A : Water Management</b></p>	<p><b>Council’s strategy unsound as it is not positively prepared, justified, effective or consistent with national policy</b></p> <ol style="list-style-type: none"> <li>1. Policy requirement for a sequential test where any part of a site (including land not to be developed) falls outside a flood zone 1 area is unreasonable because it would restrict opportunities to build dwellings on areas inside flood zone 1, where amenity space may be within a flood zone.</li> <li>2. Policy is reliant on West London Strategic Flood Risk Assessment which contradicts NPPF para 163 with regards to the sequential test.</li> <li>3. Policy should clarify how proposals for minor and householder development incorporate SuDS</li> <li>4. Policy should clarify appropriate contributions made to the Council where necessary</li> <li>5. Plan should set out policies that protect and enhance existing greenspaces, such as front gardens and establish more green verges and tree planting along the kerbside.</li> <li>6. Policy requirements for flood risk assessments (FRAs) to be submitted for sites within the 1% (Annual Exceedance Probability) AEP plus 70% for fluvial climate change could cause an issue for the EA particularly in terms of effectively defending this at planning appeals. The Environment Agency (EA) are also concerned about the use of 70% climate change extents as this massively exceeds the requirements set out by the latest climate change allowance guidance. Requiring the Sequential Test to</li> </ol>

	<p>be provided should still be easily justified as if a site is at risk within the 70% climate change extent, there's still reason to apply the Sequential Test and demonstrate that there aren't alternative sites not at risk.</p> <p>7. No reference is currently made to the SRN or Highways England within this Local Plan policy. No new connections are permitted to Highways England drainage network. In the case of an existing 'permitted' connection, this can only be retained if there is no land use change. Development must not lead to any surface water flooding on the SRN carriageway. These points apply to the site operation and construction phases. Highways England should be contacted to discuss these points in detail as part of, or in advance of a planning application submission</p> <p><b>Council's strategy is justified</b></p> <p>8. Policy requirement to achieve a positive reduction in flood risk is justified but may need further guidance to set out what is expected to meet this standard.</p> <p>9. Policy requirements welcomed on ensuring there is sufficient capacity for water supply and wastewater networks and that upgrades are carried out in time for development.</p> <p>10. Policy requirements welcomed on naturalising the watercourse and ensuring an adequate buffer zone of at least 10 metres (greater if a tall building is being proposed) and enabling public accessibility.</p> <p>11. Policy requirements welcomed on ensuring buildings are not sited over the top of new or existing culverts/ordinary watercourses.</p> <p>12. Policy requirements for flood risk, surface water management, water infrastructure and watercourses are supported</p> <p>13. Policy regarding sustainable draining for new developments, such as with verges and tree planting is supported.</p>
<p><b>LBB Response &amp; Action</b></p>	<p>1. Policy is consistent with the NPPFs requirements for the sequential test. Barnet's approach is supported by the Environment Agency. ECC02A is supported by the Sequential and Exceptions Test (EB_GI_18). This Test has been agreed by the Environment Agency.</p> <p>2. See response to ECC02A (01).</p> <p>3. This is a more detailed matter for SPD. The Council's adopted SPD on Sustainable Design and Construction (2016) (EB_DH_02). provides guidance on SUDS and will be updated and replaced by the forthcoming Sustainable Design and Development Guidance SPD.</p> <p>4. Guidance on calculating financial contributions where development impacts flood defences, rivers or waterways is a more appropriate matter for the forthcoming Planning Contributions SPD.</p> <p>5. Within the parameters of the planning system the Plan encourages the retention of front gardens and protection of existing greenspaces. Importance of front gardens are highlighted in supporting text for CDH07.</p> <p>6. The Council acknowledges this clarification from the EA and seeks a positive way forward, that allays the EAs concerns while allowing Barnet to be proactive in managing flood risk across the Borough. <b>ACTION The Council intend to make a Proposed Modification to ECC02A with regard to satisfactory outcomes that will be agreed with the EA.</b></p> <p>7. The Council agrees to revise the supporting text relating to drainage and the SRN, highlighting requirement to consult National Highways for development within a specified distance of the SRN. <b>ACTION The Council intend to make a Proposed Modification to the supporting text to ECC02A with regard to drainage and the SRN.</b></p>

<p><b>Policy ECC03 : Dealing with Waste</b></p>	<p>No Responses</p>
<p><b>Policy ECC04 : Barnet's Parks &amp; Open Spaces</b></p>	<p><b>Council's strategy unsound as it is not positively prepared, justified, effective or consistent with national policy</b></p> <ol style="list-style-type: none"> <li>1. Policy basis of "low value, low quality" is a subjective judgement. Open and green spaces can be improved to deliver important local amenity. The 'evidence' to justify this policy is out of date, extremely subjective in its judgements and should not be used.</li> <li>2. Policy should seek to protect and enhance all open, green and play space with a presumption against development.</li> <li>3. Policy does not give Council a clear policy mandate for seeking improvements to the quality and accessibility of areas such as the Welsh Harp reservoir through developer contributions.</li> <li>4. Policy lacks commitment to make parks and open spaces accessible by cycle or for cycling within them.</li> <li>5. Policy should support proposal by Friends of Market Place Playground for a new park to help address an area of open space deficiency based on and around the current Market Place area.</li> <li>6. Policy should support proposals by the Friends of Cherry Tree Wood to extend the Wood to incorporate the end of Brompton Grove.</li> <li>7. Supporting text should clarify provision of new local open space at Whalebones Park is subject to planning permission being granted and following an approved development being built out.</li> <li>8. Council's position on improving access to open spaces, particularly in areas of public open space deficiency is supported and could be strengthened to emphasise working proactively with developers to provide development which enables the provision of new public open space.</li> <li>9. There is no confidence from residents in the policy in its present form. No green space listed in the Barnet Parks and Open Spaces Strategy should be considered for redevelopment except in exceptional circumstances</li> <li>10. Policy should not support development on Barnet's parks and open spaces in areas that are deficient in open space, unless alternative space of equivalent or better quantity and quality can be identified.</li> <li>11. Policy is reliant on Barnet Parks and Open Spaces Strategy (BPOSS), an assessment that fails to take into account whether the park or open space is in an area deficient in public open space. The assessment has been a barrier to investment in those areas in recent years, and has therefore been part of a self-fulfilling cycle of deterioration.</li> <li>12. Policy needs to provide stronger protection in areas which are deficient in open space, in line with Barnet's Joint Health and Wellbeing Strategy, and North Central London's Integrated Care Plan focus on reducing the health inequalities of policy.</li> <li>13. Policy does not make any reference to playing fields so it is not clear if playing fields would be addressed by this policy or another community policy or both.</li> </ol>

	<ol style="list-style-type: none"> <li>14. Policy makes limited reference to protection of existing playing fields/open spaces, including its function. It should clarify that any enhancement and new provision of playing field should meet the needs and actions identified in the emerging Playing Pitch Strategy Refresh.</li> <li>15. Policy should reflect NPPF, para 97, which does specifically seek to protect playing fields (not just pitches) unless certain exceptions are met.</li> <li>16. Policy allows losses of playing fields when not viable but not being viable is not the same as strategically being identified as surplus. This should be amended as it is currently does not align with national policy.”</li> <li>17. Policy does not plan adequately for the impacts that this population and development increase will have on the open and natural environment. Although evidence to support stronger policy is clear it has not been fully and properly addressed.</li> <li>18. Policy promotes a Regional Park but there is nothing specific on how and when it will be delivered.</li> <li>19. Plan recognises the importance of open space to access and enjoy during the COVID-19 lockdown. As Barnet grows there is a need to improve provision and plan for the creation of at least one new district park and 13 new local parks by 2040. To make policy ECC04 sound and based on evidence para e) i) – iii) should be deleted along with relevant supporting text.</li> <li>20. Policy and proposal 32 rely on the assessment of BPOSS which demonstrates the misguided notion of low value/low quality and the unsound judgements that have led and could lead to more open space being lost.</li> <li>21. Policy reliance on BPOSS evidence. Scoring and weighting methodology was challenged during the prior public consultation. <b>Council’s strategy is justified</b></li> <li>22. Policy sets out the Plan’s support for the provision of sports facilities.</li> <li>23. Policy supports the need to optimize the benefits that open spaces can deliver, ensuring that as well as being family friendly, they consider all users and create a greener Barnet.</li> </ol>
<p><b>LBB Response &amp; Action</b></p>	<ol style="list-style-type: none"> <li>1. ECC04 specifically relates to areas of open space across the borough that were considered as part of the BPOSS (EB_GI_08) and where a judgement reached at the time that the study was undertaken that an area was of low quality and low value. BPOSS forms part of the Local Plan Evidence Base and therefore will help in planning decision making as will other material considerations such as any re-assessment of a BPOSS site.</li> <li>2. All local open spaces make a contribution to health and wellbeing no matter how small. There is a general presumption against loss of such spaces.</li> <li>3. The Council aims to provide a range of parks, open spaces and leisure facilities across the borough to suit the needs of all users. ECC04 seeks to optimise the benefits of open space and create more accessible green spaces through a range of measures.</li> <li>4. See response to ECC04(3).</li> <li>5. ECC04 needs to serve as part of an up-to-date Plan for Barnet for the next 5 years. It therefore is not appropriate to specify individual proposals that are already generally supported by the Local Plan policy framework.</li> <li>6. This is a specific proposal that can come forward as a planning application and its merits can be considered against the Local Plan policy framework.</li> </ol>

	<ol style="list-style-type: none"> <li>7. Whalebones Park (Site 45) still remains a proposal in the Local Plan. Revisions to the proposal will be for consideration of the Inspector at the EIP. The appeal decision (EB_SDG_04) will be a material consideration.</li> <li>8. The Council will continue to work proactively with developers to improve access to open space. The importance of such access has been highlighted by COVID19.</li> <li>9. See response to ECC04(01).</li> <li>10. ECC04 does not support loss of open space in areas of open space deficiency and makes this clear at ECC04E (iii).</li> <li>11. The Local Plan takes this into consideration at ECC04E (iii).</li> <li>12. See response to ECC04(08).</li> <li>13. Playing fields as open spaces are covered by ECC04.</li> <li>14. Playing fields are highlighted as community infrastructure as well as open spaces in the Local Plan. Subject to timely completion the Council's new Playing Pitch Strategy can inform Proposed Modifications to the Plan. The Strategy will be a material consideration with regards to any proposals affecting playing fields.</li> <li>15. The Council agrees to more clearly reflect NPPF para 97. <b>ACTION The Council intend to make a Proposed Modification to the supporting text to ECC04 to reflect NPPF para 97 with regards to playing fields.</b></li> <li>16. See response to ECC04 (15).</li> <li>17. See response to ECC04(3).</li> <li>18. See response to GSS13(01).</li> <li>19. See response to ECC04(01).</li> <li>20. See response to ECC04(01).</li> <li>21. See response to ECC04(01).</li> </ol>
<p><b>Policy ECC05 : Green Belt &amp; Metropolitan Open Land</b></p>	<p><b>Council's strategy unsound as it is not positively prepared, justified, effective or consistent with national policy</b></p> <ol style="list-style-type: none"> <li>1. Policy references within the policy should be amended to NPPF paras 137 to 151.</li> <li>2. Plan does not safeguard land to meet future development needs beyond the current plan period. This may require the review of the Green Belt in sustainable locations such as Bury Farm. <b>Council's strategy is justified</b></li> <li>3. Policies aimed at protecting all of Barnet's green spaces. Green Belt and MOL is strongly supported.</li> <li>4. Policies and boundaries in the plan have recently been the subject of a review which clearly sets out that the existing designated land meets the relevant criteria for designation and thus should be supported.</li> </ol>
<p><b>LBB Response &amp; Action</b></p>	<ol style="list-style-type: none"> <li>1. The Council is updating the Plan with regards to the 2021 NPPF. <b>ACTION The Council intend to make Proposed Modifications throughout the Plan with regards to ensuring consistency with the latest version of the NPPF</b></li> <li>2. The Council is required to review the Local Plan within 5 years of adoption. Subject to development needs known at that time the Council will re-visit the evidence base behind the Local Plan. Bury Farm in Barnet is not considered a sustainable location.</li> </ol>



<p><b>Policy ECC06 : Biodiversity</b></p>	<p><b>Council’s strategy unsound as it is not positively prepared, justified, effective or consistent with national policy</b></p> <ol style="list-style-type: none"> <li>1. Policy should refer to the benefits to Borough residents from the ecosystem services that being close to nature provides, and outline an expectation that offsite net gain must be sought as close to the development as possible. This can be supported by a suite of projects that development can contribute to, thereby ensuring the biodiversity within the Borough is protected and enhanced.</li> <li>2. Policy can be strengthened by making provision for a net gain supplementary planning document (SPD).</li> <li>3. Policy should be revised with Biodiversity Metric 3.0 to measure gains and losses to biodiversity resulting from development, and implement development plan policies on biodiversity net gain (BNG).</li> <li>4. Plan should set out requirements to monitor biodiversity net gain, including specific indicators to demonstrate the amount and type of gain provided through development.</li> <li>5. Plan fails to make reference to biodiversity within proposals in Hendon, including those that adjoin parks and open green spaces, such as site 40 - the Meritage Centre – Middlesex University and the Burroughs, which sits within a conservation area, and an archaeological priority area, and backs onto Sunny Gardens Park.</li> <li>6. Plan fails to make any mention of protected species such as bats, birds, and slow worms, and fails to set out how it will mitigate the effects of development on the natural environment.</li> <li>7. Plan should provide up to date biodiversity information of all sites included within the draft Local Plan. This would entail a comprehensive audit of biodiversity in the Borough.</li> <li>8. Plan should include reference to a full Environmental Impact Assessment for each of the sites listed for development, especially where development has already been approved.</li> <li>9. Policy wording is too general and vague. A solid reference to the 10% target would demonstrate the Borough’s commitment and endorsement of BNG and it helps prepares applicant’s early for the requirement.</li> <li>10. Policy should make it clear that BNG would need to be demonstrated even where development proposals do not result in biodiversity loss, and the normal mitigation hierarchy would still apply where any biodiversity losses are proposed.</li> <li>11. Policy should highlight that the BNG should be delivered on-site, off-site or via statutory biodiversity credits and that the habitat would be secured for at least 30 years via s106 or conservation covenants.</li> <li>12. Plan fails to recognise B-lines, promoted by Buglife as part of the Governments National Pollinator Strategy One of the B lines in London crosses parts of the Borough including the New Southgate opportunity area. B-Lines are an imaginative solution to the problem of the loss of flowers and pollinators.</li> </ol>
<p><b>LBB Response &amp; Action</b></p>	<ol style="list-style-type: none"> <li>1. The Council considers that the benefits of being close to nature are well established and are reflected in the Local Plan. It would expect off site net gain to meet the tests of S106 agreements outlined in the NPPF(para 57). The Council is committed to developing a strategic approach to maintaining and enhancing networks of habitats and green infrastructure (as required by NPPF para 171). This is reflected throughout the Local Plan specifically in Policy ECC06. Further work to update this information will be undertaken as part of the Local Nature Recovery Strategy.</li> <li>2. The Council has produced a Technical Paper on Biodiversity (EXAM1H) to clearly set out the measures undertaken within the Local Plan to promote the conservation, restoration and enhancement of priority habitats, ecological networks and the</li> </ol>

	<p>protection and recovery of priority species. The Green Infrastructure SPD (EB_GI_10) will provide advice on achieving biodiversity net gain and the Urban Greening Factor.</p> <ol style="list-style-type: none"> <li>3. The Council agrees to revise supporting text to ECC06 reflect revisions to the Biodiversity Metric. <b>ACTION The Council intends to make a Proposed Modification to ECC06 supporting text with regards to the new Biodiversity Metric.</b></li> <li>4. The Plan sets out at Table 24 a suite of monitoring indicators. This includes BNG.</li> <li>5. Biodiversity is an important consideration in all planning proposals.</li> <li>6. See response to ECC06(02).</li> <li>7. Biodiversity requirements for Local Plans are set out in the NPPF. Barnet’s Local Plan has been prepared in accordance with the NPPF.</li> <li>8. The requirements for EIA cannot be set by the Local Plan. Requirements for EIA are set through the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999.</li> <li>9. The Council agrees to strengthen wording with regards to BNG. <b>ACTION The Council intends to make a Proposed Modification to ECC06 and supporting text with regards to Biodiversity Net Gain.</b></li> <li>10. See response to ECC06(09).</li> <li>11. See response to ECC06(09).</li> <li>12. This is a detailed matter which is more appropriately addressed through the Local Nature Recovery Strategy.</li> </ol>
<b>TRANSPORT &amp; COMMUNICATIONS</b>	
<p><b>Policy TRC01 : Sustainable &amp; Active Travel</b></p>	<p><b>Council’s strategy unsound as it is not positively prepared, justified, effective or consistent with national policy</b></p> <ol style="list-style-type: none"> <li>1. Policy should clearly state the aim to enable as well as promote. Promotion can only succeed where sustainable transport modes are truly accessible to all residents.</li> <li>2. Policy support for “attractive and an accessible cycle links especially in development areas” and “good quality walking surfaces and off-road cycle routes” and the adoption of the Healthy Streets approach. However these should not be confined to development areas. These improvements will have a greater impact on modal shift if they are accompanied by further measures to make active travel safer, easier and cheaper than using the car.</li> <li>3. Policy wording is not consistent with NPPF para 111 which recognises that some impacts may be acceptable and only where impacts are ‘unacceptable’ or ‘severe’ should that result in refusal on highway grounds.</li> <li>4. Policy in terms of requirement for a Transport Assessment is not consistent with NPPF para 111 which states that only where highway impacts are ‘unacceptable’ or ‘severe’ should permission be withheld. As a result it is not necessarily appropriate for a Transport Assessment to mitigate ‘any negative impact’ and the wording should be amended accordingly.</li> <li>5. Policy should support a planned, connected network of cycling routes, alongside a policy to allow ancillary cycling infrastructure (such as bike sheds and bicycle parking).</li> <li>6. Policy in supporting active transport needs to include thought for pedestrians, including 20 mph speed limits, safe pavements,</li> </ol>

	<p>benches and (as already mentioned) public toilets.</p> <ol style="list-style-type: none"> <li>7. Policy should support specific reference to equalities issues, in particular accessibility for women and girls, as well as older and disabled people, as structures that work for them (as primary users of public transport and active transport) will improve the borough for everyone.</li> <li>8. Policy predominantly focuses on public transport infrastructure delivery and does not clearly set out measures that will be taken to promote walking and cycling within the Borough. This is considered a missed opportunity to promote two modes critical to achieving modal shift objectives and policy objectives relating to air quality and public health.</li> <li>9. Policy fails to refer to Mayor’s Vision Zero agenda.</li> <li>10. Policy stipulates that the Council will “promote orbital travel improvements where appropriate”; but fails to reference these improvements.</li> </ol> <p><b>Council’s strategy is justified</b></p> <ol style="list-style-type: none"> <li>11. Policy supported as it promotes sustainable transportation.</li> <li>12. Policy aim to “deliver a more sustainable transport network ... by reducing car dependency, encouraging sustainable modes of transport and improving air quality” is supported.</li> <li>13. Council’s commitment to active travel improvements and implementing the Healthy Streets Approach as well as the requirement for assessments and plans to show how they are contributing to meeting mode split targets is welcomed.</li> </ol>
<p><b>LBB Response &amp; Action</b></p>	<ol style="list-style-type: none"> <li>1. The Council agrees that its role is promoting and enabling sustainable travel. <b>ACTION The Council intends to make a Proposed Modification to TRC01 to also reference its role in enabling active travel.</b></li> <li>2. The Council agrees that reference should be made to the Mayor’s Vision Zero ambition as part of the Local Plan’s approach to reduce car use, achieve mode split targets and implement the Healthy Streets Approach. <b>ACTION The Council intends to make a Proposed Modification to TRC01 and supporting text to reference the Mayor’s Vision Zero ambition.</b></li> <li>3. The Council agrees that wording should be consistent with NPPF. <b>ACTION The Council agrees to revise the policy wording in order to be consistent with para 111 of the NPPF.</b></li> <li>4. See response at TRC01(03).</li> <li>5. Reference is made to improving cycling routes in TRC01. Plan is supportive of improving cycling infrastructure. The Long Term Transport Strategy (EB_T_02) sets out proposals for increasing cycling.</li> <li>6. This is more of a highways matter and therefore should be addressed through the Long Term Transport Strategy.</li> <li>7. See response at TRC01(06).</li> <li>8. TRC01 was revised at Reg 19 stage to amplify steps to promote walking and cycling. The Long Term Transport Strategy sets out proposals for increasing walking and cycling. Further details are set out in the IDP.</li> <li>9. See response at TRC01 (02).</li> <li>10. The main improvement to orbital travel is West London Orbital. Further details are set out in the IDP.</li> </ol>

<p><b>Policy TRC02 : Transport Infrastructure</b></p>	<p><b>Council’s strategy unsound as it is not positively prepared, justified, effective or consistent with national policy</b></p> <ol style="list-style-type: none"> <li>1. Policy fails to mention shared mobility hubs or space for cycle infrastructure.</li> <li>2. Policy should include specific provision to reflect the spatial needs of a move to active travel and shared and electric mobility; as well as a move to consolidated goods delivery.</li> <li>3. Policy is vague on plans for infrastructure that will enable people to use buses, walking and cycling to reach new train and underground stations.</li> <li>4. Policy fails to disguise the paucity of improvements to transport capacity. Of the eight measures listed, five are merely improvements at interchanges and the last is meaningless. Only indications of improvements to capacity are the West London Orbital, which will only serve one corner of the Borough, and Crossrail 2 which is most unlikely to be delivered over the lifetime of this Plan.</li> <li>5. Policy is focused primarily on public transport delivery and does not clearly set out measures that will be taken to promote walking and cycling within the Borough. A list of key projects to enhance walking and cycling should be included.</li> <li>6. Policy should be revised to reflect that a new underground station ticket hall building and enhanced public transport interchange at Colindale.</li> <li>7. Policy should confirm that where appropriate, development proposals will be expected to facilitate and contribute to the delivery of this infrastructure.</li> <li>8. Policy commitment to identifying and protecting land for enhancing rail capacity could be expanded to refer to public transport capacity so that it included bus garages and standing facilities.</li> <li>9. Government policy is set out in para 18 of DfT Circular 02/2013 which states that ‘capacity enhancements and infrastructure required to deliver strategic growth should be identified at the Local Plan stage, which provides the best opportunity to consider development aspirations alongside the associated strategic infrastructure needs. Enhancements should not normally be considered as fresh proposals at the planning application stage’.</li> <li>10. Proposals that identify necessary SRN improvements should have been tested as part of the long-term Transport Strategy. It should identify the provision of infrastructure at the right time to support the development strategy, combined with developer contributions to secure infrastructure provision as part of the IDP. Proposals will be expected to proceed in line with the necessary highway improvements identified in the IDP. Highways England would make use of Grampian conditions to ensure that necessary infrastructure is in place prior too or phased in relation to the development becoming operational.</li> </ol> <p><b>Council’s strategy is justified</b></p> <ol style="list-style-type: none"> <li>11. Policy support for upgrades to Hendon Station as this will help facilitate growth.</li> <li>12. Plan recognises need to invest in public transport lines and interchanges and we support investment in orbital and radial public transport.</li> </ol>
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<p><b>LBB Response &amp; Action</b></p>	<ol style="list-style-type: none"> <li>1. Although not specifically referenced in the Local Plan nor the London Plan the merits of mobility hubs are supported by the Council. Improvements to cycling infrastructure are set out in more detail in the IDP.</li> <li>2. See response to TRC02(01)</li> <li>3. The Plan is supported by an Infrastructure Delivery Plan where these types of infrastructure are set out in more detail.</li> <li>4. The transport improvements listed at TRC02(a) are those that are presently set out within the IDP. The IDP is a living document and more capable of change than the Local Plan process enabling new improvements to be set out. <b>ACTION – The Council intends to make a Proposed Modification to TRC02 to remove clause viii from the list of transport improvements.</b></li> <li>5. See response at TRC01(08)</li> <li>6. The Council agrees that reference to Colindale station is updated to reflect upgraded and enlarged station. <b>ACTION The Council intends to make a Proposed Modification to TRC02 to better reflect proposals for Colindale station.</b></li> <li>7. The Council agree to change TRC02 to state that it will facilitate and support contributions to the delivery of key new transport infrastructure. <b>ACTION The Council intends to make a Proposed Modification to TRC02 to highlight that it will facilitate as well as support new infrastructure</b></li> <li>8. Proposed Modifications to TRC02 have been agreed with TfL Spatial Planning through a Statement of Common Ground (EB_SoCG_12).</li> <li>9. The Plan is supported by a Strategic Transport Assessment. The Council continues to request a response from National Highways on a draft Statement of Common Ground.</li> <li>10. The Council’s Long Term Transport Strategy and Local Plan identify areas where improvements in strategic road infrastructure are needed to support the delivery of the projected growth for the Borough. This has informed the Infrastructure Delivery Plan (IDP). The IDP is a ‘living’ document enabling through updates for impacts of new proposals to be better understood and infrastructure requirements adjusted appropriately.</li> </ol>
<p><b>Policy TRC03 : Parking Management</b></p>	<p><b>Council’s strategy unsound as it is not positively prepared, justified, effective or consistent with national policy</b></p> <ol style="list-style-type: none"> <li>1. Policy should clarify the process for new CPZs and explain who decides whether a CPZ is required. The introduction of a CPZ does not fall within the control of a developer and this objective has to be driven and promoted by the Council.</li> <li>2. Policy requirement that residential parking permits will only be available to Blue Badge holders in car free developments and Disabled Persons parking should be provided in accordance with London Plan Policies T6.1 and T6.5 is wholly unreasonable and not justified.</li> <li>3. Policy does not comply with London Plan Policy T6 (Car parking) which seeks to restrict car parking “in line with levels of existing and future public transport accessibility and connectivity.” Many parts of Barnet which have CPZ’s but don’t have a high PTAL rating.</li> <li>4. Policy at best should only be applicable to PTAL 5-6 areas as many parts of the borough have poor public transport options. Developments in areas which do not have a very good PTAL rating could become unviable.</li> <li>5. Policy would deter families from buying or renting family sized dwellings in areas which are not highly accessible.</li> </ol>

	<ol style="list-style-type: none"><li>6. Policy does not deter off street car provision for developments but seeks to punish developments that provide car free development in areas where there is sufficient on street car parking provision.</li><li>7. Policy requirement for proposals that involve a reduction of existing off-street car-parking spaces, the developer must demonstrate that sufficient parking will remain in the area to serve local needs is massively onerous for small developments.</li><li>8. Policy requirement that 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 should not be applicable for minor schemes.</li><li>9. Policy does not state that the Council will show flexibility in the assessment of parking requirements</li><li>10. Policy requirements to apply within an existing CPZ are not set out in the Policy.</li><li>11. Policy "flexibility" will allow the Borough's streets to be used as overflow parking for developments with no or inadequate on-site parking. In relation to para d), the wording is unsound as it only applies where proposals involve a reduction of existing off-street car parking spaces</li><li>12. Policy needs to clarify the term "local needs"</li><li>13. Policy should clarify how use of use of energy from electrical vehicle car-parking points will be paid and apportioned.</li><li>14. Policy parking standards are too high: one third of Barnet households currently do not own a car and the council should be looking to reduce this further in line with transport strategy. There should be a presumption in favour of zero car or 'car lite' (0.3 spaces for household) development</li><li>15. Policy should set out a presumption in favour of public transport, walking and cycling.</li><li>16. Policy fails to reference use of front gardens for car parking as well as opposing any new Domestic Footway Crossovers. This is particularly important to support introduction of Controlled Parking Zones.</li><li>17. Policy should promote car share as an alternative to car ownership. It is essential to define policies which will promote car share as a means to reducing private car ownership in line with the London Plan.</li><li>18. Policy focuses on what's allowed in new developments but needs to extend borough wide. It needs to support policies ECC01, TRC01 and TRC02 to discourage private car use and favour active travel.</li><li>19. Policy should provide a flexible approach with regards to the site specific circumstances, as well as Table 23 and the London Plan.</li><li>20. London Plan does not offer parking standards for all land uses. Council must offer guidance on the parking standard for all uses or determine how standards should be assessed as part of Transport Assessments. London Plan maximum standards for retail uses do not consider that customer car parking is essential for the viability of large format food retail uses where customers are collecting large and bulky items.</li><li>21. Policy should make clear that London Plan Policy T6.3 Part G does allow for flexibility in applying the retail car parking standards when they could adversely affect a town centre's vitality and viability.</li><li>22. Policy flexibility also required for office uses. Whilst the maximum standard at BX Town is more generous than is prescribed by the London Plan there is a need to provide adequate office parking to ensure the vitality and viability of town centres.</li><li>23. Policy should provide a more flexible approach to cycle parking whereby lower levels could be provided initially with more spaces provided in accordance with demand as monitored through the Travel Plans.</li></ol>
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	<p>24. Policy states that the Council will expect residential development to provide parking in accordance with Table 23. Plan needs to make it clear, that the parking standards in Table 23 are maximum standards</p> <p>25. Policy fails to provide details on the ‘appropriate levels of car club and visitor parking’ are set out in the Draft Local Plan or Draft Policy TRC03.</p> <p>26. Policy should explicitly reference that 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.</p> <p>27. Policy reliance on using the PTAL rating to establish maximum parking standards is not always suitable. It needs further criteria such as the type, mix and use of development.</p> <p>28. Policy should acknowledge (as per the London Plan) that development within and in close proximity to town centres “generally have good access to a range of services within walking distance, and so car-free lifestyles are a realistic option for many people living there</p> <p><b>Council’s strategy is justified</b></p> <p>29. Policy is supported in seeking car parking for non-residential uses, electric vehicle charging points and cycle parking for all uses in accordance with the London Plan standards.</p> <p>30. Policy is supported with regard to maximum car parking standards being applied to each site with sensitivity to local circumstances, including parking stress, ownership of surrounding areas, and location and proximity to local services</p> <p>31. Policy is supported with regard to reducing car parking provision through the delivery of car club parking bays and pool cars</p> <p>32. Policy is supported with regard to confirmation that up to 0.5 spaces per dwelling is to be allowed for developments within Opportunity Areas but consider this should be extended to the other locations identified for housing growth under GSS01 including Major Throughfares.</p> <p>33. Policy revision on CPZs is welcomed as it enables flexibility in the application of the policy so as not to hinder development</p> <p>34. Local Plan Table 23 which is now broadly in line with Table 10.3 in the London Plan 2021. Differences are consistent with the London Plan which states that ‘Where development plans specify lower local maximum standards for general or operational parking, these should be followed.’</p> <p>35. Local Plan footnote added on Table 23 requiring residential development in metropolitan and major town centres to be car-free, and for development in outer London Opportunity Areas to have no more than 0.5 spaces per dwelling on average. The residential parking standards are now in conformity with the London Plan.</p> <p>36. Policy requirement that ‘Cycle parking is to be delivered in accordance with London Plan Standards is welcomed.</p> <p>37. Policy requirement for car club parking and membership is welcomed.</p>
<p><b>LBB Response &amp; Action</b></p>	<p>1. Controlled Parking Zone (CPZ) are areas where cars can only be parked in designated bays when displaying a valid parking permit. Parking permits are issued at the discretion of the Council’s Highways Division. The process for introducing a CPZ falls within the remit of Highways.</p> <p>2. This is consistent with the London Plan published in March 2021. Local Plan Table 23 which is now broadly in line with Table 10.3 in the London Plan 2021. Differences are consistent with the London Plan which states that ‘Where development plans specify lower local maximum standards for general or operational parking, these should be followed.’</p>

3. See response at TRC03(02). The Council refers to Statements of Common Ground with the GLA (EB\_SoCG\_10) and TfL Spatial Planning (EB\_SoCG\_12).
4. TRC03 is applicable across the Borough.
5. TRC03 and Table 23 are supported by Barnet's Car Parking Study (EB\_T\_07).
6. That's a fundamental misunderstanding of Barnet's bespoke approach to car parking management.
7. Maximum car parking standards can be applied to each site with sensitivity to local circumstances, including parking stress, ownership of surrounding areas, and location and proximity to local services.
8. Policy can be applied to minor schemes where it helps reduce car parking stress through the delivery of car club parking bays and pool cars.
9. See response at TRC03(07).
10. Developments within CPZs are considered within para 11.12.7.
11. This flexibility helps to ensure that parking provision remains in an area. An example of this would be if a public car park were to be developed. The evidence to support the reduction of available off street carparking would be required as part of the application and agreed with the Council on a case by case basis
12. Local needs can be considered at pre-app stage through engagement with Highways colleagues.
13. That is a detailed matter for discussion through planning applications.
14. These are bespoke evidence based parking standards. If the evidence changes the standards will be revised in the next review of the Local Plan.
15. There is a general presumption throughout the Local Plan for these travel options
16. See responses at CDH07 (01 and 02).
17. This can be done through Travel Plans.
18. TRC03 specifically addresses new development where planning can mitigate impacts through S106 and CIL.
19. See response at TRC03(07).
20. The Council refers to London Plan (Para 10.6.5) which clearly states 'Where no standard is provided, the level of parking should be determined on a case-by-case basis taking account of Policy T6 Car parking, current and future PTAL and wider measures of public transport, walking and cycling connectivity.'
21. TRC03 clearly states that the Council is applying the London Plan non residential standards.
22. Without ambiguity policy TRC03 clearly sets out the Council's expectations of development in terms of parking management.
23. With the intrinsic links of cycling with health, public realm and sustainable travel the Council is not prepared to water down the application of cycle parking standards. However it will consider a flexible approach to cycle parking on large developments as part of any phased delivery when suitable levels of active and public transport options are made available and promoted. Cycle parking standards are a minimum requirement.
24. Table 23 does clearly state maximum spaces.
25. This is a matter for discussion at pre-app stage.



	<p>26. The Council and TfL agree that Table 23 is now broadly in line with Table 10.3 in the London Plan 2021. The standards in Table 23 differentiate between 1 – 2 bed and 3+ bed units in most areas and set a lower maximum for 1 – 2 bed units in PTAL 0 – 1 than the London Plan. This is consistent with the footnote to Table 10.3 in the London Plan which states that ‘Where development plans specify lower local maximum standards for general or operational parking, these should be followed.’ TfL support the footnote to Table 23 requiring residential development in metropolitan and major town centres to be car-free, and for development in outer London Opportunity Areas to have no more than 0.5 spaces per dwelling on average.</p> <p>27. The Council considers that the improvement of orbital connectivity of bus services within Barnet is vital if suitable alternatives to the private vehicle are to be effective. Orbital PTAL is an area of significant disagreement between the Council and TfL. Further details are set out in the Statement of Common Ground with TfL Spatial Planning (EB_SoCG_12).</p> <p>28. The Council recognises that there is a shift in attitudes to car ownership and that car free lifestyles are becoming more popular. This is reflected in the level of support for TRC03.</p>
<p><b>Policy TRC04 : Digital Communication &amp; Connectivity</b></p>	<p><b>Council’s strategy unsound as it is not positively prepared, justified, effective or consistent with national policy</b></p> <p>1. Policy needs to recognise the value of enabling working from home to reduce the overall need to commute, not only to travel outside peak periods.</p>
<p><b>LBB Response &amp; Action</b></p>	<p>1. This value is well-established. Reference is made in TRC04 to helping residents work from home.</p>