

**Local Development  
Framework  
Development  
Management Policies  
DPD  
Representation Report  
Draft Submission**

Revised 30/09/2011

September 2011

The core of all representations received from the Development Management Policies draft submission are included in this Representations Report. The full responses are available for inspection in the planning offices at North London Business Park. Please contact the Programme Officer – Mrs Vijaya Ram (Mobile: 077914 59178, [Vijaya\\_ram@btinternet.com](mailto:Vijaya_ram@btinternet.com)) to make an appointment to inspect the responses. The Inspector also has a full copy of all submissions received.

## Representors DM Policies Draft Submission Stage

Representor Number	Title	Initials	Surname	Company/Organisation
608	Mr	David	Hammond	Natural England London Region
609	Mr	Peter	Pickering	Finchley Society
610	Mr	Alun	Evans	Metropolitan Police Authority
611		Máire	McKeogh	Costco Wholesale UK Ltd
612	Mr	Mark	Mathews	Thames Water Property Services
613		Damien	Holdstock	National Grid
614	Mr	Ed	Kemsley	WM Morrison Supermarkets PLC
615		Katie	Benford	Asda Stores Ltd
616		Rory	Joyce	The British Library
617	Miss	Claire	McAlister	British Waterways
618	Mr	Ian	Dubber	Workspace Group PLC
619		Rose	Freeman	The Theatres Trust
620	Miss	Alex	Wilson	A2Dominion Housing
621		Justin	Mills	Bestway Holdings Ltd
622	Miss	Leonie	Oliva	Bride Hall Holdings Ltd
623	Mr	Warren	Forsyth	Middlesex University
624	Mr	Philip	Murphy	Brent Cross Cricklewood Development Partners
625	Mr	Charles	Mills	Comer Group
626	Mr	Glen	Rollings	Greater London Authority - Planning Decisions Unit
627	Mr	Robert	Newton	Resident
628	Miss	Debbie	Horner	Environment Agency - North East Thames Area
629	Miss	Melane	Barlow-Graham	London Fire & Emergency Planning Authority (LEFPA)
630	Mr	Graham	Saunders	English Heritage
631	Mr	David	Howard	Federation of Residents Associations in Barnet (FORAB)
632		Rebecca	Burnhams	Universities Superannuation Scheme Ltd (USS)

## Representation No: 608 / 1

**Name :** Mr David Hammond

**Organisation :** Natural England London Region

**Policy** Policy DM15: Green Belt and open spaces

**Chapter:**

**Paragraph:**

General

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### Reason for Objecting or Supporting?:

The eighteen policies listed in this Chapter can be broadly supported, and especially the following;

DM15 – Green Belt and Open Spaces

DM16 - Biodiversity

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### If you are Objecting, what changes are you seeking?:

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#### Council's response :

We welcome this support

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## Representation No: 608 / 2

**Name :** Mr David Hammond

**Organisation :** Natural England London Region

**Policy** Policy DM01: Protecting Barnet's character and amenity

**Chapter:**

**Paragraph:** 2.2.3 and 2.2.4

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### Reason for Objecting or Supporting?:

Paragraphs 2.2.3 and 2.2.4 refer to Climate Change which is welcomed, the Council should consider the benefits of Green Infrastructure here, which can help reduce heat island affects, and offer flood plain resources as well as contributing to ecology and biodiversity opportunities.

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### If you are Objecting, what changes are you seeking?:

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#### Council's response :

The benefit of Green Infrastructure are highlighted at Section 12.7 of the Core Strategy.

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## Representation No: 608 / 3

**Name :** Mr David Hammond

**Organisation :** Natural England London Region

**Policy** Policy DM01: Protecting Barnet's character and amenity

**Chapter:**

**Paragraph:** 2.10.1 to 2.10.7

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### Reason for Objecting or Supporting?:

Landscaping and Trees as referenced under paragraphs 2.10.1 to 2.10.7 are also welcomed and encouraged especially in relation to Barnet Council's approach to integrating landscaping into development proposals, using existing topographies.

The use of the existing natural topographies can be linked to Natural England's natural which could be used to help deliver these aspirations. Natural signature refers to the underlying landscape of an area, which if drawn out, can make a direct and powerful contribution to 'sense of place' and local distinctiveness.

Natural England has recently produced the London Landscape Framework which gives further guidance on the 'natural signatures'. We recommend that you refer to this document and ensure that it is reflected in the Green Grid section of the Core Strategy. The London Landscape Framework can be found at: <http://www.naturalengland.org.uk/regions/london/ourwork/londonnaturalsignatures.aspx>

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### If you are Objecting, what changes are you seeking?:

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#### Council's response :

The Core Strategy highlights the importance of Barnet's landscape character at CS5: Protecting and Enhancing Barnet's character to create high quality places. Our Green Infrastructure SPD will aim to enhance the key characteristics of Finchley Ridge and Barnet plateau.

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## Representation No: 608 / 4

**Name :** Mr David Hammond

**Organisation :** Natural England London Region

**Policy** Policy DM01: Protecting Barnet's character and amenity

**Chapter:**

**Paragraph:** 2.10.3

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### Reason for Objecting or Supporting?:

Paragraph 2.10.3, Natural England would prefer no net loss of green space wherever possible, the hierarchy should be increase, enhance or replace. Replacement should be as a last resort.

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### If you are Objecting, what changes are you seeking?:

"Appropriate replacement" should be considered at equivalent or better value than habitat lost.

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#### Council's response :

In the context of the policy, which relates to landscaping, the approach which seeks to retain as much existing wildlife habitat as possible is considered reasonable.

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**Representation No: 608 / 5**

**Name :** Mr David Hammond

**Organisation :** Natural England London Region

**Policy** Policy DM01: Protecting Barnet's character and amenity

**Chapter:**

**Paragraph:**

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**Reason for Objecting or Supporting?:**

Natural England welcomes the inclusion and reference to lighting issues in respect to biodiversity (F) in this policy.

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**If you are Objecting, what changes are you seeking?:**

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**Council's response :**

We welcome this support

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## Representation No: 608 / 6

**Name :** Mr David Hammond

**Organisation :** Natural England London Region

**Policy** Policy DM02: Development standards

**Chapter:**

**Paragraph:**

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### Reason for Objecting or Supporting?:

Natural England believes that local authorities should consider the provision of natural areas as part of a balanced policy to ensure that local communities have access to an appropriate mix of green-spaces providing for a range of recreational needs, of at least 2 hectares of accessible natural green-space per 1,000 population. This can be broken down by the following system:

- No person should live more than 300 metres from their nearest area of natural green-space;
- There should be at least one accessible 20 hectare site within 2 kilometres;
- There should be one accessible 100 hectares site within 5 kilometres;
- There should be one accessible 500 hectares site within 10 kilometres.

This is recommended as a starting point for consideration by local authorities and can be used to assist with the identification of local targets and standards. Whilst this may be more difficult for some urban areas/authorities than other, Natural England would encourage local authorities to identify the most appropriate policy and response applicable to their Borough.

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### If you are Objecting, what changes are you seeking?:

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#### Council's response :

Policy DM15 sets out the standards for publicly accessibly open space which includes a standard for natural green space of 2.05 hectares per 1,000 residents. The basis for these standards are set out in the 'Open Space, Sport and Recreational Facilities Needs Assessment' which provides the evidence on the existing open space network and its intrinsic values. Further detail will be contained in Supplementary Planning Document: Green Infrastructure.

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## Representation No: 608 / 7

**Name :** Mr David Hammond

**Organisation :** Natural England London Region

**Policy** Policy DM04: Environmental considerations for development

**Chapter:**

**Paragraph:** 5.9.1. to 5.9.2

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### Reason for Objecting or Supporting?:

Paragraphs 5.9.1. to 5.9.2 refer to the potential for River/Water course restoration and naturalisation of water features in the Borough and this is to be welcomed and encouraged in relation to Green Infrastructure provision and Blue/Green chains.

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### If you are Objecting, what changes are you seeking?:

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#### Council's response :

We welcome this support

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## Representation No: 608 / 8

**Name :** Mr David Hammond

**Organisation :** Natural England London Region

**Policy** Policy DM04: Environmental considerations for development

**Chapter:**

**Paragraph:**

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### Reason for Objecting or Supporting?:

Natural England welcomes and encourages this Policy, especially in relation to (H).

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### If you are Objecting, what changes are you seeking?:

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#### Council's response :

We welcome this support

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## Representation No: 608 / 9

**Name :** Mr David Hammond

**Organisation :** Natural England London Region

**Policy** Policy DM15: Green Belt and open spaces

**Chapter:**

**Paragraph:**

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### Reason for Objecting or Supporting?:

Natural England has no substantive comments to make in respect of this section other than to refer to our earlier comments regarding ANGST above, under Chapter 3.

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### If you are Objecting, what changes are you seeking?:

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### Council's response :

Please refer to response 556 / 6

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## Representation No: 608 / 10

**Name :** Mr David Hammond

**Organisation :** Natural England London Region

**Policy** Policy DM15: Green Belt and open spaces

**Chapter:**

**Paragraph:**

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### Reason for Objecting or Supporting?:

The aspiration to enhance open space provision and improve access to nature are welcomed and to be strongly encouraged. Under paragraph 16.3 – Open Spaces – I would again refer you to Natural England's ANGST standards as above.

The Council also needs to be aware of and avoid where practical the potential for fragmentation and loss of connectivity of open spaces.

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### If you are Objecting, what changes are you seeking?:

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### Council's response :

We welcome this support. Further detail on maintaining the connectivity between open spaces will be contained in SPD: Green Infrastructure.

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**Representation No: 608 / 11****Name :** Mr David Hammond**Organisation :** Natural England London Region**Policy** Policy DM16: Biodiversity**Chapter:****Paragraph:**

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**Reason for Objecting or Supporting?:**

The variety of Green Infrastructure resources identified under paragraph 17.1.1 are acknowledged and commended.

Development contributing to the Green Grid, Green Chains /Links as referred to under paragraph 17.1.8 is to be encouraged, promoting connectivity and linkages.

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**If you are Objecting, what changes are you seeking?:**

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**Council's response :**

We welcome this support

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**Representation No: 608 / 12****Name :** Mr David Hammond**Organisation :** Natural England London Region**Policy** Policy DM16: Biodiversity**Chapter:****Paragraph:**

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**Reason for Objecting or Supporting?:**

A)When considering development proposals the Council will, where appropriate, seek the retention and enhancement, or creation of biodiversity” .

This appears to be a passive statement by the Council, and it may be worth considering strengthening the policy by rewording;

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**If you are Objecting, what changes are you seeking?:**

Reword as follows:

“When considering development proposals the Council will seek the retention, enhancement or creation of biodiversity as an integral part of the development proposal.

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**Council's response :**

The policy has been amended. Please see Pre-Submission Amendments to the Development Management Policies DPD.

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**Representation No: 609 / 1****Name :** Mr Peter Pickering**Organisation :** Finchley Society**Policy** Policy DM09: Specialist housing**Chapter:****Paragraph:**

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**Reason for Objecting or Supporting?:**

Because the phrase 'demonstrably harmful' in (a) and (c)ii does not state on whom the onus falls of demonstrating harm. It would be wrong to leave this to the Council, or - even worse - to objectors. The burden should fall on the applicant, as in (b)

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**If you are Objecting, what changes are you seeking?:**

Replace 'not have a demonstrably harmful impact' in both occurrences by 'the applicant can demonstrate that they do not have a significantly harmful impact'. That would properly allocate the onus.

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**Council's response :**

The policy has been amended. Please see Pre-Submission Amendments to the Development Management Policies DPD.

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**Representation No: 609 / 2****Name :** Mr Peter Pickering**Organisation :** Finchley Society**Policy** Policy DM05: Tall Buildings**Chapter:****Paragraph:**

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**Reason for Objecting or Supporting?:**

Because the word 'considered' implies a tentativeness that is out of place here.

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**If you are Objecting, what changes are you seeking?:**

Delete the word 'considered'. That removes the tentativeness.

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**Council's response :**

The policy as currently drafted reflects the approach set out in the Core Strategy therefore the word 'considered' is retained.

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## Representation No: 609 / 3

**Name :** Mr Peter Pickering

**Organisation :** Finchley Society

**Policy** Policy DM15: Green Belt and open spaces

**Chapter:**

**Paragraph:**

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### Reason for Objecting or Supporting?:

The phrase 'except in very special circumstances' in DM15a2 and the similar phrase in DM15a3 unacceptably weaken the absolute protection of the Green Belt and Metropolitan Open Land; the qualification in DM15b has stringent conditions attached. Bizarrely, therefore, the open spaces which are not part of the Green Belt or MOL have greater protection than those which are.

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### If you are Objecting, what changes are you seeking?:

Delete 'in very special circumstances' phrase. That will produce a consistent and robust open space policy

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### Council's response :

The policy is in line with the approach set out in PPG2: Green Belt which sets out the basis for when very special circumstances apply for inappropriate development.

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## Representation No: 609 / 4

**Name :** Mr Peter Pickering

**Organisation :** Finchley Society

**Policy** Policy DM01: Protecting Barnet's character and amenity

**Chapter:**

**Paragraph:** parts (h) and (i)

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### Reason for Objecting or Supporting?:

Because the word 'normally' will provide a loophole which will be exploited by applicants to argue that their proposal is an exception. Because the word 'considered' in (i) does not occur in the otherwise parallel (h), and this difference will provoke legal quibbles.

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### If you are Objecting, what changes are you seeking?:

Delete the word 'normally' where it occurs, and 'considered' in (h). That removes the loopholes.

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### Council's response :

For both policies there will be situations where conversion to flats or loss of a house is acceptable therefore the word 'normally' has been retained.

The word 'considered' has been removed. Please see Pre-Submission Amendments to the Development Management Policies DPD.

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## Representation No: 609 / 5

**Name :** Mr Peter Pickering

**Organisation :** Finchley Society

**Policy** Policy DM02: Development standards

**Chapter:**

**Paragraph:**

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### Reason for Objecting or Supporting?:

Because the phrase 'where appropriate' will provide a loophole which will be exploited by applicants to argue that a standard should not apply to their proposal. The phrase is unnecessary for a sound policy because it is obvious that, for instance, an office development will not have to provide play space.

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### If you are Objecting, what changes are you seeking?:

Delete the phrase 'where appropriate'. That removes the loophole.

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### Council's response :

Including the words 'where appropriate' is accurate as not all development will need to comply with every development standard.

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## Representation No: 609 / 6

**Name :** Mr Peter Pickering

**Organisation :** Finchley Society

**Policy** Policy DM08: Ensuring a variety of sizes of new homes to meet housing need

**Chapter:**

**Paragraph:**

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### Reason for Objecting or Supporting?:

Because it refers only to new development; conversions of the current stock need controlling if the purpose behind Chapter 9 is to be achieved.

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### If you are Objecting, what changes are you seeking?:

Add a second sentence in DM08 along the following lines: Conversions which reduce that choice will be resisted This change will make the policy complete.

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### Council's response :

Conversions as well as new build and changes of use generate new homes. This policy will apply to all sources of new homes.

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## Representation No: 609 / 7

**Name :** Mr Peter Pickering

**Organisation :** Finchley Society

**Policy** Policy DM04: Environmental considerations for development

**Chapter:**

**Paragraph:** part (d)

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### Reason for Objecting or Supporting?:

Because the words 'normally' and 'where appropriate' may provide a loophole to be exploited by applicants. The words do not occur in the similar subparagraph (e), and this difference will provoke legal quibbles. Re 'normally': if the council is really prepared ever to permit unacceptable noise levels close to noise sensitive uses the circumstances should be spelt out. Re 'where appropriate': while 'elimination' may not always be feasible, it must always be appropriate to do as much as possible to mitigate.

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### If you are Objecting, what changes are you seeking?:

Delete the words 'normally' and 'where appropriate'. That removes the loopholes.

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### Council's response :

The use of the word 'normally' and 'where appropriate' allows development where suitable mitigation is provided.

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## Representation No: 609 / 8

**Name :** Mr Peter Pickering

**Organisation :** Finchley Society

**Policy** Policy DM11: Development principles for Barnet's town centres

**Chapter:**

**Paragraph:**

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### Reason for Objecting or Supporting?:

Because the words 'strongly resisted' in (b)iii and 'expected' in (b)v are too weak.

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### If you are Objecting, what changes are you seeking?:

Replace 'strongly resisted' in (b)iii by 'refused', and 'expected' in (b)v by 'required'. The policy is then robust and effective.

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### Council's response :

Agreed that 'strongly resisted' will be replaced with 'refused'.

We feel that the word 'expected' is the right word to use in this instance.

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## Representation No: 609 / 9

Name : Mr Peter Pickering

Organisation : Finchley Society

Policy Policy DM06: Barnet's heritage and conservation

Chapter:

Paragraph:

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### Reason for Objecting or Supporting?:

Because it is not fully consistent with PPS5. In particular:-

Table 7.1 does not adequately report PPS5. 7.1.6 does not accurately report PPS5. The first bullet point of 7.2.4 fails to take on board HE7.6 of PPS5 - 'Where there is evidence of deliberate neglect of or damage to a heritage asset in the hope of obtaining consent, the resultant deteriorated state of the heritage asset should not be a factor taken into account in any decision.'

In 7.4.3 the phrase 'investigate catalogue and protect' is an inadequate summary of what should be sought in an archaeological condition, and the reference to HADAS is not quite correct. In DM06(e) ' . . will need to demonstrate the likely impact upon the remains and the proposed mitigation to reduce that impact' is an inadequate summary of what should be sought in an archaeological condition.

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### If you are Objecting, what changes are you seeking?:

Table 7.1 should include specific reference to HE7.6 and HE12 of PPS5. The second sentence in 7.1.6 should begin 'Guidance in PPS5 indicates that heritage assets should be retained in use and modified where appropriate . . . '.

There should be another bullet point following the first one of 7.2.4 reading 'whether the applicant is in any way responsible for the condition of the existing building.'

The last sentence of 7.4.3 should be replaced by 'Proposals for development in these areas will need to be accompanied by an indication of how archaeological remains will be investigated, recorded and where possible preserved in situ or in a museum. It may be useful for HADAS to be consulted.' The second sentence of DM06(e) should be replaced by 'Consent for any development that may damage a buried archaeological resource (whether in one of these areas or not) will include appropriate conditions requiring the prior investigation of that resource and the publication and archiving of the results of that investigation'

These changes will make DM06 consistent with national policy.

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### Council's response :

Table 7.1 aims to repeat some of the key principles from national and London Plan policy rather than every aspect of national policy. The policy concerned with neglect and the recording of lost heritage is considered too specialist to repeat in the box.

Paragraph 7.1.6 has been revised

Paragraph 7.2.4 has been redrafted.

Paragraph 7.4.3 has been revised in line with the suggested changes. Please see Pre-Submission Amendments to the Development Management Policies DPD.

Policy DM06 has not been revised as we feel that the current wording is adequate.

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## Representation No: 609 / 10

**Name :** Mr Peter Pickering

**Organisation :** Finchley Society

**Policy** Policy DM01: Protecting Barnet's character and amenity

**Chapter:**

**Paragraph:**

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### **Reason for Objecting or Supporting?:**

Because the DMPD as drafted does not follow the paragraph in Policy CS5 that reads 'The Barnet Characterisation Study forms the baseline for the identification of places with a consistent and coherent architectural character. Within the typologies identified in the Characterisation Study we will through our Development Management Policies DPD and Residential Design Guidance SPD develop a framework to protect and enhance those high quality suburbs in Barnet not protected by Conservation Area designations.'

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### **If you are Objecting, what changes are you seeking?:**

DM01 and the supporting text should be expanded to develop the framework adumbrated in CS5. That will bring the policies into line.

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### **Council's response :**

The Core Strategy makes it clear at paragraph 7.4.2 how we are going to take forward the typologies identified in the Characterisation Study.

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## Representation No: 610 / 1

Name : Mr Alun Evans

Organisation : Metropolitan Police Authority

Policy Policy DM14: New and existing employment space

Chapter:

Paragraph:

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### Reason for Objecting or Supporting?:

The policy seeks to protect Employment spaces in the borough 'where viable'.

The MPA/S have identified the potential of relevant employment sites in helping them meet the goals of their estate strategy. In particular, the provision of patrol bases, custody centres and relevant pan-London policing facilities are vital to the successful implementation of the MPA/S' estate strategy. The nature of these uses are similar to that carried out on most employment sites and therefore are ideally suited to employment sites and similar locations.

Whilst falling outside the 'B' Use Class definition, these policing uses are employment generating uses. Generally, the policing uses represent no material alteration from an Employment (B1) or Warehousing (B8) use as they possess an employment density similar to or in excess of 'B' Class uses. Vehicle movement will also be similar to a typical employment/industrial use. These facilities do not require continued public access and therefore have no requirement to be located in town centre areas.

It is demonstrated above that the policy requirement to provide employment uses within designated existing employment sites can be met through the provision of appropriate policing facilities on such land. Mindful of this, policing uses can be appropriately located within existing employment sites. Furthermore, it is considered that a planning policy basis as suggested below to support appropriate policing facilities on employment site in LB Barnet would not prejudice current or future employment land supply across the borough, as such uses are compatible with the requirement to provide employment opportunity. This has been accepted by a number of London Borough's which have approved policing facilities on employment land/industrial land, including Enfield (Cambridge Business Park), Haringey (Quicksilver Place) and Greenwich (Warspite Road).

The LB of Havering have recognised policing facilities as appropriate uses within Strategic Industrial Locations as part of their adopted Core Strategy and Development Control Policies document. In addition, the LB of Merton have specifically made reference to the Metropolitan Police Estate as a suitable use within defined Employment Areas.

This approach is supported by the strategic development plan within Policy 3B.4, Industrial Locations which states that policies in DPD's 'should develop local policies and criteria to manage industrial sites having regard to helping meet strategic and local requirements for...social infrastructure.' Furthermore, Policy 2.17 of the Emerging London Plan defines inter alia 'other industrial related activities' as being acceptable within Preferred Industrial Locations. It is clearly demonstrated above that particular policing uses are essentially industrial and that the emerging Development Management Policies DPD should therefore reflect this. It is also further demonstrated that certain policing uses will also fulfil the strategic requirement regarding the provision of social infrastructure.

Mindful of the above and in order to comply with strategic policy in this regard, reference should be made within Policy DM14 to the provision of social infrastructure, including policing, as appropriate alternative uses on employment sites.

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### If you are Objecting, what changes are you seeking?:

The MPA/S therefore recommend that point ii of policy DM14 should be expanded as follows:

...where this can be demonstrated the priority for re-use will be a mixture of small business units with residential use. Where appropriate employment sites may also accommodate alternative employment-generating uses.

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### Council's response :

As identified in the response to the preferred approach draft of the DMP DPD the industrial estates are intended to be protected to ensure a pool of locally significant industrial land is retained in the borough for businesses.

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## Representation No: 611 / 1

Name : Máire McKeogh

Organisation : Costco Wholesale UK Ltd

Policy Policy DM14: New and existing employment space

Chapter:

Paragraph:

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### Reason for Objecting or Supporting?:

The London Plan Industrial Capacity SPG, adopted March 2008, recognises at paragraph 1.9 that potential users of industrial land may include uses classes other than B1 (b), B1(c), B2 and B8, such as sui generis uses. That recognition is consistent with other London Boroughs where sui generis uses are often found appropriately located in employment areas. It is essential that the Barnet Development Management Policies DPD supports the widest range of employment uses. This approach is advocated by PPS4 (2009), EC2.1 (h) which states that Local Planning Authorities should ensure that the development plan identifies a range of sites to facilitate a broad range of economic development. Policy EC2.1 (b) of PPS4 also states that:

"Policies should be flexible enough to accommodate sectors not anticipated in the plan and allow a quick response to changes in economic circumstances." As a sui generis use that is primarily B8, Costco has been found to be an appropriate use for employment allocated land for the following reasons:

- The employment density is comparable to if not better than other B Class Uses which are appropriate on the highest graded employment land. A typical Costco directly employs 160-250 people.
- The employment generating characteristics of Costco were considered by the Inspector at the Chester Inquiry (Appendix 1, Para 10.4.1) who stated that: "A typical B8 warehouse might employ around 150 people but a typical Costco employs approximately 170 people on opening rising to around 250 within 3-5 years. Around 50% of the jobs are full time and even part time jobs offer a minimum of 25 hours per week. This is the equivalent to 145 FTE at opening and 212

after a few years. Costco pays higher wages than the retail sector and warehousing/industrial sectors and around 90% of jobs are filled by locally recruited employees."

Appendix 2 contains a copy of the Costco Employment Opportunities Report May 2011.

Appendix 1 and 2

- Indirect employment benefits are created through local businesses having a cheaper source of supply, and businesses increasing trade as a consequence of supplying goods and services to Costco; and from the construction and subsequent maintenance of the warehouse.
- Most inventory needs can be obtained under one roof. Costco sells a very wide range of food and non-food goods, however there is a very limited selection within any one product range.
- Competitive pricing enables Costco members to compete more effectively with national multiples.
- Costco Wholesale supports and nurtures small businesses that may not otherwise survive in a competitive economy. This has significant employment benefits and adds to the vitality and viability of town and local centres (where many small businesses are generally located) and to the profitability of the whole range of businesses who typically join Costco Wholesale as members.

It is considered that a definition of uses appropriate on employment land should be included within the Barnet Development Management DPD, to recognise that sui generis uses may be an appropriate use for employment land. This is in accordance with the Mayor's SPG on Industrial Land (March 2008).

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### If you are Objecting, what changes are you seeking?:

It is proposed that in accordance with PPS4 and the London Plan, Policy DM14: 'New and Existing Employment Space' should allow flexibility for a wider range of employment and business uses on all employment land. If the Council is concerned to ensure that applications provide appropriate level of employment, it is proposed that Policy CS10 be a criteria based policy. The following wording is proposed: "Within the Employment Areas defined on the Proposals Map, planning permission will be granted for employment generating uses within Classes B1, B2 or B8 and sui generis uses which would:

- (i) generate employment which is quantitatively and qualitatively comparable to uses within those Classes; and
- (ii) not harm the continuation of existing uses within those Classes."

The sui generis uses referred to above are uses that are commonly found in industrial estates and are an established and accepted use of employment allocated land. They each generate employment, often at greater levels than B1, B2 and B8 uses and have characteristics that make them comparable to these uses. Sui generis uses are an important part of the economy.

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**Council's response :**

In line with PPS4 an evidence base (the Employment Land Survey) has been used to support the designation and protection of the locally significant industrial sites and business locations to ensure a pool of locally significant industrial land is retained in the borough for businesses. In line with PPS4 warehouse clubs such as Costco are identified as town centre uses and we would expect to follow a sequential approach before an out of centre location is considered.

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**Representation No: 612 / 1****Name :** Mr Mark Mathews**Organisation :** Thames Water Property Services**Policy****Chapter:****Paragraph:**

General

**Reason for Objecting or Supporting?:**

Thames Water would like to see a specific water and wastewater policy within the Barnet LDF.

Should the Council consider it did not wish to accommodate a specific water and wastewater policy within the submission version of the Core Strategy we would therefore consider that the policy below should be included within the Development Management Policies Document:

either where needed to serve existing or proposed development in accordance with the provisions of the Development Plan, or in the interests of long term water supply and waste water management, provided that the need for such facilities outweighs any adverse land use or environmental impact and that any such adverse impact is minimised.

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**If you are Objecting, what changes are you seeking?:**

To include the following policy in DM Policies DPD

Water and Wastewater Development Management Policy

"The Council will also seek to ensure that there is adequate water supply, surface water, foul drainage and sewerage treatment capacity to serve all new developments.

Developers will be required to demonstrate that there is adequate infrastructure both on and off the site to serve the development and that it would not lead to problems for existing users or future occupiers.

In some circumstances a drainage strategy will need to be produced by the developer in liaison with Thames Water to ensure the appropriate upgrades are in place ahead of occupation of the development. Where there is a capacity problem or potential adverse amenity impact on future occupiers, and no improvements are programmed by the statutory undertaker, the Council will require the developer to fund in full the appropriate improvements which must be completed prior to occupation of the development.

The development or expansion of water supply or wastewater facilities will normally be permitted

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**Council's response :**

The Core Strategy deals with the issue of infrastructure in policy CS15. It is not necessary to repeat it in the DMP DPD.

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## Representation No: 613 / 1

Name : Damien Holdstock

Organisation : National Grid

Policy Policy DM16: Biodiversity

Chapter:

Paragraph:

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### Reason for Objecting or Supporting?:

Mill Hill Substation Pastures Site of Nature Conservation Importance Mill Hill Substation Pastures is identified as a Site of Metropolitan Importance for nature conservation in the Development Management Policies Submission Draft document.

National Grid owns and operates Mill Hill substation. Substations are vital to the efficient operation of the national electricity transmission network for switching circuits or transforming voltage. Mill Hill substation forms an essential part of the national electricity transmission network and plays an important role in maintaining the supply of electricity to the local distribution network operator and therefore ultimately to homes and businesses throughout Barnet and the wider area.

National Grid's land holdings at the substation are shown by the red boundary on the plan enclosed (the footprint of the actual substation compound where our equipment is situated is indicated by the violet boundary). All of the land presently in our ownership is classed as "operational land" (in accordance with the General Permitted Development Order 1995, Schedule 2, Part 17, Class G, particularly para G.5 and Section 263 of the Town and Country Planning Act 1990) and National Grid therefore benefits from permitted development rights on its operational land. As shown on the plan enclosed, the operational land (i.e. our land holdings shown by the red boundary) covers essentially the whole Mill Hill Substation Pastures site.

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### If you are Objecting, what changes are you seeking?:

Policy DM16: Biodiversity

Policy DM16: Biodiversity of the Development Management Policies Submission Draft document states that where development will affect a Site of Importance for Nature Conservation the Council will expect the proposal to meet the requirements of London Plan Policy 7.9E. Policy 7.9E of the emerging London Plan states the following:

When considering proposals that would affect a site and/or species of importance, the following hierarchy will apply:

1. avoid adverse impact to the biodiversity interest
2. minimize impact and seek mitigation
3. only in exceptional cases where the benefits of the proposal clearly outweigh the biodiversity impacts, seek appropriate compensation.

National Grid is required to review and react to changing patterns of electricity demand and generation.

Although National Grid does not have any plans to develop the site further at this stage, there may be a need to expand or develop the substation site in the future to meet operational needs.

Should the need arise to expand or develop the substation site, then National Grid would not wish to be restricted in carrying out the work required. National Grid therefore seeks assurance from the Council that the designation of the area surrounding Mill Hill substation will not restrict them from extending or developing the substation if necessary and inhibit any future operational requirements that may be placed upon them. This should be recognised explicitly in the Development Management Policies document.

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### Council's response :

Any extension or redevelopment of the substation that is not exempted under the GPDO would need to comply with policy DM16 and the sites designation as a site of Metropolitan Importance for nature conservation in Barnet.

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## Representation No: 614 / 1

**Name :**

**Organisation :** WM Morrison Supermarkets PLC

**Policy** Policy DM11: Development principles for Barnet's town centres

**Chapter:**

**Paragraph:** 12.2-12.3

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### Reason for Objecting or Supporting?:

We note that the emerging Barnet Development Management Policies DPD includes policy provision to deal with future retail proposals. PPS4 sets out the Government's policy with regard to town centres and retail development. The overarching objective is sustainable economic growth and more sustainable patterns of development that reduces the need to travel. It also seeks to promote the vitality and viability of town centres as important places for communities. To achieve this, the Government wants:

- New economic and development of main town centre uses to be focused in existing centres, with the aim of offering a wide range of services to communities in an attractive and safe environment and remedying deficiencies in provision in areas with poor access to facilities.
- Competition between retailers and enhanced consumer choice through the provision of innovative and efficient shopping and local services in town centres, which allow genuine choice to meet the needs of the entire community, particularly socially excluded groups.

For planning applications for main town centres that are not in a centre and not in accordance with an up-to-date development plan, PPS4 requires the following supporting evidence:

- a sequential assessment (under Policy EC15); and
- an impact assessment (under Policies EC10 and EC16).

Morrison's is currently not represented in the borough, however the introduction of such an operator would help to enhance consumer choice and improve competition, as advocated by PPS4. Our client supports the approach of PPS4 and the key tests of sequential and impact. We note that Paragraphs 12.2 and 12.3 and of the draft Development Management Policies DPD and criteria 'a' of Policy DM11 sets out the proposed approach to future retail development and the need for retail development (above 200 sq m) to satisfy the requirements of PPS4 in terms of the sequential approach and impact. Given the draft DPD is consistent with PPS4 we consider it to be sound.

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### If you are Objecting, what changes are you seeking?:

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#### Council's response :

We welcome this support

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## Representation No: 615 / 1

Name :

Organisation : Asda Stores Ltd

Policy

Chapter:

Paragraph:

General

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### Reason for Objecting or Supporting?:

These representations are made on behalf of Asda Stores Ltd, owners of the New Barnet Gas Works site, located on the northern edge of the New Barnet District Centre. At 4.9 ha in size, the Gas Works represents one of the largest brownfield sites in the Borough outside the key regeneration areas at Brent Cross and Cricklewood. Redevelopment of the site presents a significant opportunity to bring this vacant and underused site back into beneficial use and to contribute to regeneration of the wider New Barnet area.

Representations were made to the previous consultation on the Preferred Approach document in November 2010 (copy attached) and we have had due regard to the Council's formal response to our comments.

Although the Council adopted a Town Centre Framework for New Barnet in November 2010, which covers the Gas Works site, this document has not been the subject of an independent examination and it is considered that the document has been prepared prematurely, i.e. before a number of the matters such as retail need and town centre boundaries have been established through the Core Strategy and Development Management Policies. It is therefore considered that little weight should be given to this document and that it should be reviewed once the Core Strategy and Development Management Policies have been adopted.

These representations should be read in conjunction with our comments on the Barnet Core Strategy Submission Stage document.

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### If you are Objecting, what changes are you seeking?:

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#### Council's response :

A Town Centre Framework for New Barnet has been developed and adopted in order to respond to manage change within the area. The Core Strategy sets out the role of town centre frameworks to support potential for future growth as part of a planned approach to managing development opportunities. The New Barnet Town Centre Framework was adopted following extensive stakeholder engagement and provides the agreed way forward for that town centre.

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## Representation No: 615 / 2

**Name :**

**Organisation :** Asda Stores Ltd

**Policy** Policy DM08: Ensuring a variety of sizes of new homes to meet housing need

**Chapter:**

**Paragraph:**

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### **Reason for Objecting or Supporting?:**

We continue to support the flexible approach taken in draft policy DM08 to ensuring a mix of dwelling types and sizes. As stated in our comments to the previous consultation, this will enable the council to promote large unit sizes while allowing developments to be considered on a case by case basis. It is considered this policy is in line with the objectives of PPS3.

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### **If you are Objecting, what changes are you seeking?:**

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### **Council's response :**

We welcome this support

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## Representation No: 615 / 3

**Name :**

**Organisation :** Asda Stores Ltd

**Policy** Policy DM10: Affordable housing contributions

**Chapter:**

**Paragraph:**

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### **Reason for Objecting or Supporting?:**

We continue to support the flexible approach taken in draft policy DM10 to affordable housing provision, which allows for a reduction in the 30% target subject to viability. We feel that this approach sets a clear target, whilst acknowledging the significant challenges that face developers in the current economic climate. We consider Policy DM10 is in line with objectives of PPS3.

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### **If you are Objecting, what changes are you seeking?:**

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### **Council's response :**

We welcome this support

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## Representation No: 615 / 4

**Name :**

**Organisation :** Asda Stores Ltd

**Policy** Policy DM11: Development principles for Barnet's town centres

**Chapter:**

**Paragraph:**

12.1.3

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### Reason for Objecting or Supporting?:

Despite the justification put forward in our previous representations, we note that the Council remain of the view that New Barnet should no longer be included in the list of key town centres for place making and economic focus (or a priority town centre in the Core Strategy Submission document).

We wish to reiterate that New Barnet has long been identified as in need of investment and as a sustainable location for development within the Borough. This is set out in the Council's own evidence base, which has been compiled in support of early stages of the Core Strategy. No clear rationale or new evidence has ever been presented to support the Council's position that New Barnet no longer merits specific designation as a priority town centre. As such, we consider New Barnet is reinstated to the status of a priority town centre in the Core Strategy and as a key town centre for place making and economic focus in the Development Management Policies DPD.

We note that the Council state in their document summarising their response to comments received to the Core Strategy Preferred Approach document, that the removal of New Barnet from the list of priority town centres does not prevent such opportunities as the redevelopment of the gas works site being realised in accordance with the adopted Town Centre Framework.

Whilst we acknowledge what the Council say, the fact that they have not provided any justification for New Barnet's removal from the list of priority town centres/key town centres for place making and economic focus, means that New Barnet should remain in the list. Indeed, the Core Strategy makes clear that Town Centre Frameworks will be produced for the priority centres. As a Town Centre Framework has already been produced for New Barnet, it must be regarded as a priority centre in the Core Strategy and Development Management Policies documents. It is therefore considered paragraph 12.1.3 is unjustified and therefore unsound.

---

### If you are Objecting, what changes are you seeking?:

To ensure this part of the document is sound, reference to New Barnet should be included at paragraph 12.1.3, as follows:

"The Core Strategy identifies key town centres for place making and economic focus at Edgware, Finchley Church End, North Finchley, Chipping Barnet and New Barnet."

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### Council's response :

This is a strategic issue best addressed by the Core Strategy. This respects ASDAs representation at Core Strategy Publication stage 496/8 and we refer to our previous response on this matter.

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## Representation No: 615 / 5

**Name :**

**Organisation :** Asda Stores Ltd

**Policy** Policy DM11: Development principles for Barnet's town centres

**Chapter:**

**Paragraph:** 12.4.1-12.4.5

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### **Reason for Objecting or Supporting?:**

We continue to support the council's approach to promote a mix of uses in Barnet's town centres, including residential use. This will facilitate viable development opportunities that will support the vitality and viability of Barnet's town centres.

It is considered the Council's approach to mixed use development in town centres accords with the objectives of PPS4.

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### **If you are Objecting, what changes are you seeking?:**

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### **Council's response :**

We welcome this support

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## Representation No: 615 / 6

**Name :**

**Organisation :** Asda Stores Ltd

**Policy** Policy DM11: Development principles for Barnet's town centres

**Chapter:**

**Paragraph:**

General

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### Reason for Objecting or Supporting?:

We note that despite our previous comments, there continues to be no reference in Section 12 to development density. The Council state in their formal response that there is no need to mention density in this section of the Development Management Policies document as it is covered by Policy CS3 of the Core Strategy. Whilst we acknowledge the Council's position, Policy CS3 is only very brief, and in any event, it is important to reiterate the densities the Council will be seeking in town centre locations in the Development Management Policies DPD

In accordance with PPS1, PPS3, PPS4 and PPS12, the Council should be seeking to promote a higher density of development close to centres and transport hubs / links in order to maximise the efficient use of land. Reference to development density in relation to centres and transport hubs should, therefore, be included in the document. We consider that Section 12 is not compliant with national policy and is therefore unsound in this regard.

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### If you are Objecting, what changes are you seeking?:

To ensure soundness, an additional paragraph should be added which states:

"The Council will promote higher density development on sites within and close to centres and transport hubs in order to optimise the efficient use of land".

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### Council's response :

Our approach to optimising housing density to achieve appropriate development density is clearly set out in Core Strategy policy CS3: Distributing growth to meet housing aspirations.

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## Representation No: 615 / 7

**Name :**

**Organisation :** Asda Stores Ltd

**Policy** Policy DM11: Development principles for Barnet's town centres

**Chapter:**

**Paragraph:** Appendix 2: Map 8 – New Barnet Town Centre

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### Reason for Objecting or Supporting?:

We support the identification of town centre boundaries and primary and secondary frontages for Barnet's district centres and one major town centre as required by PPS4 and the draft replacement London Plan.

However, despite our previous representations which provided justification for the inclusion of the southern half of the East Barnet Gas Works Site on Albert Road within the New Barnet town centre boundary, we note that the Council have not amended the boundary to include the site.

The site represents the principal redevelopment opportunity in New Barnet and has been promoted for redevelopment by the Council since the approval of a Planning Brief for the site in March 2000, and should therefore be included within the town centre boundary.

The decision not to include at least the southern part of the site within the town centre boundary in the Development Management Policies DPD is strange given that the adopted Town Centre Framework includes this part of the site as an opportunity site within New Barnet town centre, suggesting the site is a town centre site.

We note that the Town Centre Framework states that the site is appropriate for a mix of uses, including residential, but that retail development is not suitable. We strongly disagree with the Council's approach and it is clear (as set out in our representation to the Core Strategy Submission Stage document) that the identification of particular uses on this site (and across the whole of the town centre) has been prepared without having proper regard to the Council's own evidence base. Given that matters such as retail need and town centre boundaries are the subject of debate through the Core Strategy and Development Management Policies DPD, we consider the adoption of New Barnet Town Centre Framework is premature, and should be reviewed following the Inspector's consideration of the Submission documents.

Owing to its proximity to the existing facilities of New Barnet town centre and to the New Barnet Rail station and bus services which serve East Barnet Road, the Gas Works Site is suitable for a range of uses. We consider it represents the best opportunity for retail development in New Barnet that will allow for the scale of development needed to draw trade back from rival centres and generate connectivity through the centre to the benefit of existing traders. The site also lends itself to the high density development needed to regenerate the site for a mixture of uses.

We consider the failure to include at least part of the site within the New Barnet town centre boundary renders this part of the document unsound. We consider the Council's decision not to include the site within the town centre boundary is both unjustified and ineffective (in that it does not provide sufficient flexibility to deal with the redevelopment proposals that will no doubt come forward in the future for town centre uses which are considered to be entirely acceptable in this location).

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### If you are Objecting, what changes are you seeking?:

To ensure this part of the document is sound, it is considered that Map 8 should be amended to include the southern part of the East Barnet Gas Works Site.

We also note that whilst Map 8 of the Development Management Policies DPD does not show any secondary shopping frontages for New Barnet, the map contained within the Town Centre Framework shows both Primary and Secondary Shopping Frontages within the Centre. This demonstrates further inconsistencies with the Council's approach and also highlights the fact that the Town Centre Framework has been produced prematurely.

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### Council's response :

The northern part of the site is not included as it is not part of the town centre. A Town Centre Framework (TCF) for New Barnet has been developed and adopted in order to manage change within the area. The Framework responds to the brownfield opportunities in the area. Asda had the opportunity to get involved in the production of the TCF which was adopted in November 2010. The adopted TCF seeks to consolidate the existing town centre uses into a more compact and intensive 'core' High Street on East Barnet Road, focused around the existing Sainsbury's store. It resists significant additional retail floorspace (such as a new full service supermarket) while encouraging smaller scale redevelopment and renewal of the existing high street frontage in order to improve the town centre's retail offer. The decision to not designate secondary frontages in the DMP DPD better reflects retail in the centre and is not significant to the TCF.

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## Representation No: 615 / 8

**Name :**

**Organisation :** Asda Stores Ltd

**Policy** Policy DM11: Development principles for Barnet's town centres

**Chapter:**

**Paragraph:**

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### Reason for Objecting or Supporting?:

We are pleased to see that the Council has had regard to our previous comments in respect of this policy and amended to the wording of this part of the policy to ensure it contains the same level of flexibility as PPS4 in terms of allowing retail and other appropriate town centre uses outside of town centres where it meets the sequential approach (and the other tests of PPS4). We are also pleased to see that the policy wording under the heading „Primary and Secondary Frontages“, has been amended to read more clearly. Despite our previous comments in respect of paragraph six of this policy in the Preferred Approach document (now Part b: iv), the Council has proposed no amendment to this text. The requirement that ‘any significant new retail development will be expected to provide a mix of unit sizes...’, is ambiguous and gives no guidance on what might be considered to be „significant“. Further, the wording assumes that „significant new retail development“ must comprise a mix of units, which quite clearly may not necessarily be the case. We therefore consider Part b (iv) of Policy DM11 to be ineffective, and therefore unsound. The requirement to provide a mix of retail units in any new retail scheme is unnecessarily restrictive as it does not provide the flexibility required for different types of retail development that may come forward in the future.

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### If you are Objecting, what changes are you seeking?:

To ensure this part of the policy is sound, Part b (iv) should be removed.

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### Council’s response :

The significance of new development is clarified in paragraph 12.7.8 in the context of the centre within which it is proposed. The purpose of this aspect of the policy is to help contribute to the vitality and viability of Barnet's town centres by providing diversity with a mix of unit sizes.

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## Representation No: 615 / 9

**Name :**

**Organisation :** Asda Stores Ltd

**Policy** Policy DM12: Maintaining our local centres and parades

**Chapter:**

**Paragraph:** 13.1.2

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### Reason for Objecting or Supporting?:

We are pleased to note that following our previous comments, the Council has removed New Barnet District Centre from the list of local centres which was included in error.

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### If you are Objecting, what changes are you seeking?:

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### Council's response :

We welcome this support

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## Representation No: 616 / 1

**Name :**

**Organisation :** The British Library

**Policy** Policy DM01: Protecting Barnet's character and amenity

**Chapter:**

**Paragraph:**

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### Reason for Objecting or Supporting?:

The British Library (BL) continues to support policy DM01 which seeks development to demonstrate high quality design, environmental awareness and respect existing character.

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### If you are Objecting, what changes are you seeking?:

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### Council's response :

We welcome this support

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## Representation No: 616 / 2

**Name :**

**Organisation :** The British Library

**Policy** Policy DM10: Affordable housing contributions

**Chapter:**

**Paragraph:**

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### **Reason for Objecting or Supporting?:**

The BL welcomes policy DM10 which states that all new development providing 10 or more units will be required to achieve a minimum of 30% affordable housing on-site subject to viability. Paragraph 9.6.6 of the Core Strategy sets out that 30% is the borough wide affordable housing target. The proposed DM policy is fully in accordance with this. The BL fully support Policy DM10 and the borough wide target of 30% which will improve the viability and deliverability of key housing sites, such as the BL site at Colindale.

The adopted Colindale Area Action Plan (CAAP) Policy 7.2 'Affordable Housing' is inconsistent with emerging policy in the Core Strategy (Policy CS4) and DM Policies (Policy DM10). The CAAP Policy 7.2 states "the council has a borough wide target of 50% affordable housing, in line with the London Plan. The maximum amount of affordable housing will be sought having regard to this target and to a viability assessment".

The BL has previously made representations to the DM Policies Preferred Approach document requesting that the relationship between CAAP Policy 7.2 'Affordable Housing' and Core Strategy Policy CS4 'Providing quality homes and housing choice in Barnet' is clarified, as there is an inconsistency between the targets. The Council's response to the BL's previous representations on this matter was as follows: "Within the context of a changing policy environment the 50% target set out in the Area Action Plan will be expected to be complied with subject to viability testing"

The BL considers that the proposed 30% borough wide affordable housing target should be applied across the borough, including the Colindale AAP, to ensure a consistent approach to development and conformity between policies.

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### **If you are Objecting, what changes are you seeking?:**

Therefore, the BL considers that CAAP Policy 7.2 should be replaced or formally superseded by Policies CS4 and DM10 once the Core Strategy and Development Policies document are adopted.

A lower affordable housing target will help to ensure that new residential development is viable and deliverable, particularly in the borough's regeneration areas, and will help to meet the borough's housing targets by promoting growth.

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### **Council's response :**

We refer to our response at 560/2 with regard to the Core Strategy Pre-Submission Amendments. The AAP provides the planning framework for Colindale and therefore should not be superseded by the Core Strategy.

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## Representation No: 616 / 3

**Name :**

**Organisation :** The British Library

**Policy** Policy DM11: Development principles for Barnet's town centres

**Chapter:**

**Paragraph:**

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### Reason for Objecting or Supporting?:

The BL welcomes the Council's proposed amendment to Policy DM11 part a, to ensure that it reflects the retail allocations identified in the Borough's adopted Area Action Plans. The BL supports paragraph 12.3.3 which identifies the allocation of a new neighbourhood centre in Colindale and confirms that proposals for this centre will not be required to demonstrate compliance with the tests set out in PPS4, unless they exceed the floorspace as set out in the CAAP. This approach will ensure that the new neighbourhood centre at Colindale and major mixed use schemes within it can be delivered.

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### If you are Objecting, what changes are you seeking?:

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#### Council's response :

We welcome this support

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## Representation No: 616 / 4

**Name :**

**Organisation :** The British Library

**Policy** Policy DM15: Green Belt and open spaces

**Chapter:**

**Paragraph:**

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### Reason for Objecting or Supporting?:

The BL welcomes policy DM15 which protects open space in the borough. The BL requests consideration is taken to new open space provision in the regeneration areas, considering the limited amount of brownfield land and the intensity of development proposed in these areas that will bring forward wider planning benefits, such as indoor space, recreation or leisure facilities.

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### If you are Objecting, what changes are you seeking?:

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#### Council's response :

See the earlier response at 564/2

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## Representation No: 617 / 1

**Name :** Miss Claire McAlister

**Organisation :** British Waterways

**Policy** Policy DM04: Environmental considerations for development

**Chapter:**

**Paragraph:**

3.9

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### Reason for Objecting or Supporting?:

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#### If you are Objecting, what changes are you seeking?:

Minor change – we suggest reference to “Under Lock and Quay”, a document jointly published with British Waterways and the Metropolitan Police regarding security around waterways: [http://www.britishwaterways.co.uk/media/documents/BWL\\_Under\\_Lock\\_and\\_Quay.pdf](http://www.britishwaterways.co.uk/media/documents/BWL_Under_Lock_and_Quay.pdf)  
The Useful References should also include this document, and the Town and Country Planning Association’s Policy Advice Note: Inland Waterways (2009) <http://www.tcpa.org.uk/data/files/InlandWaterways.pdf>

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#### Council’s response :

Whilst recognising that design measures to improve security around waterways should be addressed at the planning stage we consider that specific reference to this document is not merited in Barnet. Proposals regarding the Welsh Harp reservoir will be discussed as part of the regeneration proposals for West Hendon and will involve British Waterways and Metropolitan Police.

The TCPA advice note refers in principle to navigable waterways which we do not have in Barnet so is not relevant for the borough.

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## Representation No: 617 / 2

**Name :** Miss Claire McAlister

**Organisation :** British Waterways

**Policy** Policy DM04: Environmental considerations for development

**Chapter:**

**Paragraph:**

5.9

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### Reason for Objecting or Supporting?:

The Brent Feeder runs through Brent, and there have been successful naturalisation of similar channels with the agreement of British Waterways and adjacent land owners. We have recently undertaken work along the Feeder to improve it, as it can be a target for fly tipping etc. We would welcome policies supporting its enhancement.

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### If you are Objecting, what changes are you seeking?:

The Useful References should also include the Town and Country Planning Association's Policy Advice Note: Inland Waterways (2009)  
<http://www.tcpa.org.uk/data/files/InlandWaterways.pdf>

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### Council's response :

DM04h will help to support enhancement of waterways in Barnet. The TCPA advice note refers in principle to navigable waterways which we do not have in Barnet so is not relevant for the borough.

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## Representation No: 617 / 3

**Name :** Miss Claire McAlister

**Organisation :** British Waterways

**Policy** Policy DM06: Barnet's heritage and conservation

**Chapter:**

**Paragraph:**

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### Reason for Objecting or Supporting?:

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### If you are Objecting, what changes are you seeking?:

Minor change - the Useful References should also include the English Heritage/British Waterways document, England's Historic Waterways: A working heritage  
<http://www.helm.org.uk/> and <http://www.britishwaterways.co.uk/our-work/delivering-public-benefit/heritage>

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### Council's response :

This policy document is not relevant to Barnet

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**Representation No: 617 / 4****Name :** Miss Claire McAlister**Organisation :** British Waterways**Policy** Policy DM14: New and existing employment space**Chapter:****Paragraph:****Reason for Objecting or Supporting?:**

Where waterways run through industrial areas, adjacent land uses should be considered for relaxation to mixed use proposals, which will make better use of the waterway environment and allow this resource to help support biodiversity, health and well being, education and other Core Strategy aims.

**If you are Objecting, what changes are you seeking?:****Council's response :**

Although waterways do not run through industrial areas in Barnet Policy DM14: New and existing employment areas requires that outside the locally significant industrial areas development which involves the loss of employment space should provide appropriate mixed use redevelopment which provides some re-provision of employment use, residential and community use.

**Representation No: 617 / 5****Name :** Miss Claire McAlister**Organisation :** British Waterways**Policy** Policy DM16: Biodiversity**Chapter:****Paragraph:**

17.1.8

**Reason for Objecting or Supporting?:**

British Waterways would be keen to be involved with the development of the Green Infrastructure SPD, particularly regarding the management of green(/blue) spaces.

**If you are Objecting, what changes are you seeking?:****Council's response :**

We will ensure British Waterways are involved when we consult on the Green Infrastructure SPD.

## Representation No: 618 / 1

**Name :** Mr Ian Dubber

**Organisation :** Workspace Group PLC

**Policy** Policy DM05: Tall Buildings

**Chapter:**

**Paragraph:**

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### **Reason for Objecting or Supporting?:**

Workspace considers that tall buildings should be considered within and outside strategic locations particularly where they are essential for the delivery of regeneration schemes and where they will assist in enabling the delivery of modern economic floorspace within mixed-use developments. Workspace considers that tall buildings allow for the efficient use of land and provide excellent regeneration opportunities through the provision of mixed-use developments that include housing and employment floorspace.

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### **If you are Objecting, what changes are you seeking?:**

Allow tall buildings in all areas where they contribute to the regeneration of an area through increased housing and economic development.

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### **Council's response :**

The strategic locations for tall buildings is a matter for the Core Strategy. We note that Workspace Group did not respond to the Publication stage of the consultation on the Core Strategy nor made representations on the Pre-Submission Amendments to the Core Strategy in relation to Tall Buildings.

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## Representation No: 618 / 2

**Name :** Mr Ian Dubber

**Organisation :** Workspace Group PLC

**Policy** Policy DM08: Ensuring a variety of sizes of new homes to meet housing need

**Chapter:**

**Paragraph:**

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### **Reason for Objecting or Supporting?:**

Workspace objects to DM08 and considers it be unsound and does not reflect the current housing market and housing demand within the borough. Furthermore, this policy contradicts the policy requirements of PPS3. Paragraph 23 of PPS3 states that developers should bring forward proposals for market housing which reflect demand and the profile of households requiring market housing, in order to sustain mixed communities. Furthermore, this policy fails the Planning Inspectorate's Test (ix) of soundness which states that a policy needs to be reasonably flexible to enable it to deal with changing circumstances.

As currently drafted, this policy promotes a narrow range of dwelling sizes. It is considered that this policy should promote a broad mix housing types on a site by site basis to take account of current market conditions.

This policy and its evidence fail to understand the distinction between market need and market demand. The building industry will base its assumptions upon whether a development is feasible and viable based on market demand. This demand is generated by a variety factors not least access to mortgage lending, which in itself can impact upon the specific type of dwellings in demand. Workspace consequently considers that the housing mix should be determined on a site-by-site basis. It is important that the market housing mix is determined by the private sector so that residential schemes can respond to the market demands and site specifics at any given time, taking into account market signals.

Furthermore, the size of dwellings relates more to age and wealth than it does to the sizes of households. Households typically build up wealth through the course of a lifetime. Using a lifecycle model, households may start with smaller housing but progress up a housing ladder over the course of a lifetime looking for larger properties when they have children and when they are able to afford to do so. As they age and children move away from home, many households choose to remain in their existing housing rather than downsize. There is therefore typically no direct relationship between dwelling size and household size in the private sector. The social sector is more regulated in that housing is allocated in relation to the housing size required, but it is still possible for households to under occupy larger housing.

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### **If you are Objecting, what changes are you seeking?:**

Amend policy to state that housing mix will be determined on a site by site basis and will take account factors such as market conditions and site context.

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### **Council's response :**

In line with the Core Strategy the objective of DM08 is to provide housing choice to meet the aspirations of existing and future residents. The policy emphasises variety of sizes and mix of types to provide choice. Within that context DM08 sets out our dwelling size priorities and is backed up by supporting text states that the policy can be applied flexibly.

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## Representation No: 618 / 3

**Name :** Mr Ian Dubber

**Organisation :** Workspace Group PLC

**Policy** Policy DM10: Affordable housing contributions

**Chapter:**

**Paragraph:**

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### **Reason for Objecting or Supporting?:**

Workspace supports the principle of affordable housing provision in new developments for the purposes of securing local need and ensuring a mixed and sustainable community. However, such provision should be considered on a site by site basis, together with its viability and the regeneration benefits a scheme could provide. Workspace objects to the requirement to provide a minimum of 30% affordable housing on development sites. Workspace considers that affordable housing should be considered subject to site characteristics, location, and overall scheme viability. PPS3 states in paragraph 29 that affordable housing targets should take into account the risks to housing delivery.

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### **If you are Objecting, what changes are you seeking?:**

Amend policy text to state 'All new development providing 10 or more units will seek to achieve on-site, subject to viability, 30% affordable housing'.

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### **Council's response :**

The policy has been revised to clarify that the maximum reasonable amount of affordable housing is expected whilst having regard to the borough-wide target of 30% affordable housing, subject to viability. The approach is supported by the Affordable Housing Viability Study which identifies that in some situations it will be viable to provide more than 30% affordable housing. Please see Pre-Submission Amendments to the Development Management Policies DPD.

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## Representation No: 618 / 4

Name : Mr Ian Dubber

Organisation : Workspace Group PLC

Policy Policy DM11: Development principles for Barnet's town centres

Chapter:

Paragraph:

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### Reason for Objecting or Supporting?:

Workspace considers that this policy fails to understand the economic dynamics of employment floorspace and as such objects to this policy as it could stifle economic regeneration and growth within mixed-use schemes. The policy draft is not clear, but it implies that an existing employment use should be re-provided within the mixed-use scheme. It is not clear whether the level of employment space should be re-provided exactly or whether a more appropriate mix could be provided. The implementation of this requirement of the policy would demonstrate a lack of understanding of employment land, the use of employment floorspace and property markets. Workspace has witnessed a marked shift in the manner in which the commercial sector use their properties in recent years with an increase in job densities as companies seek to utilise space and reduce cost of operations. This has been achieved by the increase of home working, hot-desking and innovative solutions to storage. Consequently changing work practices has resulted in many companies seeking reduced space to perform the same function as before. It is clear from Workspace's experience that existing potential employment levels can be maintained or increased on a significantly reduced level of floorspace.

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### If you are Objecting, what changes are you seeking?:

This policy should focus on the potential economic output within mixed-use developments. The policy also states that there is an expectation that community and retail uses should be provided but these uses will be considered on a site-by-site basis. The overall mix should be considered on a site-by-site basis and take account of the scheme's viability and the potential regeneration benefits.

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### Council's response :

The supporting text states that the amount of employment space expected to be re-provided will be considered on a case-by-case basis unless otherwise indicated in a Town Centre Framework or the Site Allocations DPD. It also refers to community uses as a consideration and retail when on a frontage. This enables flexibility for schemes to come forward and it does not restrict the re-provision to like-for-like replacement of the existing employment floorspace.

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## Representation No: 618 / 5

Name : Mr Ian Dubber

Organisation : Workspace Group PLC

Policy Policy DM13: Community and education space

Chapter:

Paragraph:

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### Reason for Objecting or Supporting?:

Workspace considers that this policy fails to recognise the important links between education and training and economic development. The direction of such facilities to town or local centre sites fails to recognise the importance of such facilities to the wider economic development.

Workspace considers that this policy should support skills and training facilities within industrial and business use areas. These facilities are important for the development of the local, regional and national economies and also important for the social generation and well-being.

Such facilities are particularly important for the development and growth of small and medium sized enterprises, which form the engine of economic growth at a local level and London-wide level. It is important that training facilities are provided close to major sources of employment to create a synergy between business and education and create important links. Industrial and business use areas provide an important location in which develop training facilities. Class D education and training centres have a strong connection with existing businesses as they are important for improving the expertise and skills set of business, which improves competitiveness in the market place. It is unreasonable to prevent such facilities within business and industrial areas. This approach could go undermine economic and educational connections and could result in unsustainable travel patterns.

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### If you are Objecting, what changes are you seeking?:

This policy should support skills and training facilities within industrial and business use areas. These facilities are important for the development of the local, regional and national economies and also important for the social generation and well-being.

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### Council's response :

Section 13.7 of the Core Strategy sets out Barnet's approach to skills training and highlights the role of the Skills Development and Employability group to progress the skills development agenda. Policy DM13: Community and Education Uses makes it clear that where it can be demonstrated that a town centre/local centre location is not available then another location will be acceptable provided it is accessible by public transport. Protecting industrial and business locations in the borough ensures that we maintain strategic sites for employment. The sites safeguarded were assessed as part of the Employment Land Survey therefore they are not appropriate for educational and training uses.

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## Representation No: 618 / 6

Name : Mr Ian Dubber

Organisation : Workspace Group PLC

Policy Policy DM14: New and existing employment space

Chapter:

Paragraph:

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### Reason for Objecting or Supporting?:

Workspace considers part i of the policy is not flexibly enough to take account of changing market conditions and as such fails the Planning Inspectorate's Test (ix) of soundness, which states that a policy needs to be reasonably flexible to enable it to deal with changing circumstances.

This policy is not flexible and does not take account of the future economy and potential for future economic development. As currently written, this policy is ineffective and could therefore prevent land within 'Locally Significant Industrial Sites' or 'Industrial Business Locations' from being utilised for more effective land uses.

This policy should allow the redevelopment of inefficient 'Locally Significant Industrial Sites' or 'Industrial Business Locations' for mixed-use developments that incorporate modern and flexible employment floorspace for small and medium sized enterprises.

New employment floorspace will help sustain existing employment use at such sites and enables sufficient flexibility and building quality to secure its continued use in the longer term. This will provide benefit in employment and economic terms through continuing to provide opportunities for a wide variety of small and medium sized businesses and securing space for new and emerging markets and/or existing thriving markets.

To regenerate under-used and inefficient employment floorspace a higher-value use is often required to enable development. The associated higher-value land use as part of a mixed-use development will secure the delivery of this employment floorspace. Without this higher value element, the redevelopment would be unviable.

This approach can deliver increased economic efficiencies by increasing the economic output of an area and can also deliver much needed housing. Workspace have successfully adopted this approach at variety of sites across London.

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### If you are Objecting, what changes are you seeking?:

Introduce a criterion that allows the redevelopment of 'Locally Significant Industrial Sites' or 'Industrial Business Locations' through enabling development that delivers high-quality employment space.

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### Council's response :

The identified 'Locally Significant Industrial Sites' and 'Industrial Business Locations' site were assessed as part of the Employment Land Survey and scored across a range of categories. The assessment was undertaken in accordance with CLG guidance. Only employment sites identified as currently viable have been protected. Within these sites it is recognised that there may need to be some intervention in the future to retain their employment use however it is not acceptable for this to be mixed use residential. An example of intervention would be the intensification of a B8 use into small and medium sized B1 business units that addresses local needs.

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## Representation No: 618 / 7

Name : Mr Ian Dubber

Organisation : Workspace Group PLC

Policy Policy DM14: New and existing employment space

Chapter:

Paragraph:

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### Reason for Objecting or Supporting?:

Workspace considers that this policy does not effectively consider the long-term growth of the local economy and does not effectively support the development of small and medium sized-enterprises. Therefore, this policy fails to meet the Planning Inspectorate's Test (ix) of soundness, which states that a policy needs to be reasonably flexible to enable it to deal with changing circumstances.

The policy does not reference small and medium sized enterprises and its rigid approach to economic development fails to understand the markets in which small and medium sized enterprises work within. Small and medium sized enterprises should be actively encouraged throughout the borough in a variety of locations. However, for this policy to be successful it will need to: take account of the locational needs of these enterprises; regeneration opportunities afforded by such enterprises; and how employment space for these enterprises could be delivered.

Small and medium sized enterprises provide an important and significant contribution to the Outer London and Barnet economies. The potential economic and social benefits of promoting the development of small and medium enterprises include:

- The creation of jobs at low cost of capital;
- Contribution to the Gross Domestic Product (GDP);
- Expansion of the entrepreneurial base;
- Flexibility to adapt to market changes;
- Support for large scale enterprises;
- Entry into market niches which are not profitable for larger enterprises.

All the above may never be fully realised if such enterprises are not encouraged throughout the borough including on industrial and business use areas.

Small and medium sized enterprises often operate within clusters and networks. Networking allows the small and medium sized enterprises to combine the advantages of smaller scale and greater flexibility with economies of scale and scope in larger markets – regionally, nationally and globally. The links take different shapes in which different firms join together to co-produce, co-market, or co-purchase, cooperate in new product development, or share of information. It is important that these clusters and networks are supported and developed by the provision of appropriate accommodation at a variety of locations.

Small and medium sized enterprises have an important role in leading entry into emerging sectors that do not necessarily fit comfortably within the traditional planning use classes. It is important this policy flexible to encourage the economic development of small and medium sized enterprises regardless of use class. For example, small and medium sized enterprises are particularly strong in developing the art and cultural sectors, which struggle to find suitable premises due to planning land use class restrictions. Such enterprises often have to compete with Class A occupiers, which prevents their development on cost grounds. This space is often not appropriate and the planning use class system is too rigid in which support their growth.

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### If you are Objecting, what changes are you seeking?:

Introduce a criterion that promotes the development of small and medium sized enterprises in a variety of locations.

Introduce a criterion that supports mixed-use developments whereby a high value land use such as residential is introduced to enable the delivery of economic floorspace for small and medium sized enterprises.

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### Council's response :

Our approach to supporting local businesses is set out at section 13.6 of the Core Strategy. Safeguarding existing employment sites that meet the needs of modern businesses is one of the ways in which we support local businesses. Specific reference to a preference for small business units as part of a redevelopment is made in the supporting text where the loss of an existing employment use meets the policy requirement.

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## Representation No: 619 / 1

Name : Rose Freeman

Organisation : The Theatres Trust

Policy

Chapter:

Paragraph:

General

### Reason for Objecting or Supporting?:

We support the submission document and find it to be sound, from our point of view, as it will provide a clear steer for the future of your arts facilities in the Borough although we are disappointed that your existing venues are not protected in item c3 of Policy DM11 on page 47 which for clarity could include the enhancement of existing community, leisure and arts facilities.

Thank you for stating a description of the term community facilities on page 50 at para.14.1.1 which we had hoped would also be included in the Core Strategy for Policy CS10 which contains no guidance for arts venues. And thank you for including an explanation of 'sui generis' in Table 12.1 on page 41 with regard to town centre uses.

### If you are Objecting, what changes are you seeking?:

However, we remain puzzled as to why there is no mention of your arts and cultural facilities in the Core Strategy which is the main planning policy document.

### Council's response :

We welcome this support for the Development Management policies DPD. Further Pre-submission Amendments to the Core Strategy make specific reference to arts and cultural facilities in CS10: Enabling Inclusive and Integrated Community Facilities and Use.

The relevant policy for protecting existing community uses such as theatres is policy DM13: Community and education uses. Paragraph 12.4.3 refers to the possibility of enhancement of existing community uses with regards to mixed use redevelopment.

**Name :**

**Organisation :** A2Dominion Housing

**Policy** Introduction

**Chapter:**

**Paragraph:**

1.4

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**Reason for Objecting or Supporting?:**

A2Dominion provides over 33,000 homes across London and southern England with thousands in development. It offers a wide range of housing options, including affordable rented, temporary, student, sheltered, supported and key worker accommodation, as well as homes for sale and shared ownership.

A2Dominion is the owner of the Geron Way site in Cricklewood, London, hereafter referred to as “the Geron Way site”. Through our previous discussions, you will be aware that our client has submitted a planning application on the site (ref F/01932/11) for:

“Redevelopment to provide for 262 residential units, 812 sqm of commercial accommodation (B1, D1 and D2) and associated car parking and amenity space, and creation of new vehicular access from Edgware Road.”

This planning application is currently being considered by the London Borough of Barnet.

The Site extends to 1.453 ha and falls within the London Borough of Barnet Cricklewood, Brent Cross and West Hendon Regeneration Area.

Please note that representations have also been submitted on behalf of A2Dominion on the Core Strategy.

Planning Policy Statement 12 (PPS12) Guidance on Soundness - This representation highlights the key areas of support or objection that are most relevant to the Geron Way site. Principally, our comments are made in accordance with the guidance set out in Planning Policy Statement 12 (PPS12) – Local Spatial Planning (2008) which describes the ‘tests’ for assessing whether a development plan document is sound.

To be sound, a DPD should be justified, effective and in line with national planning policy: “‘Justified’ means that the document must be:

- Founded on a robust and credible evidence base;
- The most appropriate strategy when considered against the reasonable alternatives.

‘Effective’ means that the document must be:

- Deliverable;
- Flexible; and
- Able to be monitored.” (PPS12, page 24)

A2Dominion seeks to ensure that the emerging policies within the new LDF are the most appropriate in all circumstances, that they are founded on a robust evidence base and ensure that the plan is reasonably flexible to enable it to deal with changing circumstances and comply with national planning policy.

Paragraph 1.4 - We have lodged representations to the approach within the Core Strategy. In short, we consider that the Cricklewood/ Brent Cross Regeneration Area should be dealt with as planning policy within the Local Development Framework. Currently, it does not read as a policy but a review of the current status of the BXC planning application and reliance on other dated policy documents. The Development Management Policies DPD and Core Strategy need to stand as policy documents in their own right, in relation to the Cricklewood/ Brent Cross Regeneration Area. Currently, it is not clear what the vision is. As drafted, text relating to the Cricklewood/ Brent Cross Regeneration Area is already dated, is not sufficiently flexible or therefore effective.

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**If you are Objecting, what changes are you seeking?:**

The Development Management Policies DPD does not have a policy relating to the Cricklewood / Brent Cross Regeneration Area. Instead the DPD reviews the current status of the BXC planning application and relies on other dated policy documents. The Development Control Policies DPD needs to stand as a policy document in its own right and as a result it is not clear what the vision is. As drafted, it is already dated, is not sufficiently flexible or therefore effective.

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**Council's response :**

This is an issue for the Core Strategy. We note that this issue was not raised in A2 Dominion Housing's representations on Policy CS2 at Publication Stage (495/4).

We consider that the approach to Brent Cross Cricklewood is clearly set out in the Core Strategy. The key document is Barnet's LDF. The Core Strategy clearly sets out the relationship between the LDF's Core document and the implementation of the saved suite of UDP policies for Brent Cross Cricklewood set out in Appendix A of the Core Strategy together with the Development Framework. Cross reference to this approach is set out at section 1.4 of the DMP document.

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## Representation No: 620 / 2

Name :

Organisation : A2Dominion Housing

Policy Policy DM02: Development standards

Chapter:

Paragraph: 3.1.1 – 3.11.2

### Reason for Objecting or Supporting?:

Paragraph 3.4 'Code for Sustainable Homes' and Paragraph 3.5 'BREEAM' - The approach of seeking Code and BREEAM Standards through a Supplementary Planning Document (SPD) contravenes national planning policy regarding climate change as set out in Planning and Climate Change – Supplement to PPS1. Paragraph 32 of which states that when proposing any local requirement for sustainable buildings, planning authorities should inter alia specify the requirement, for example, for housing schemes the specific level of Code for Sustainable Homes. Paragraph 33 goes on to state that any policy relating to local requirements for decentralised energy supply to new development or for sustainable buildings should be set out in a Development Plan Document (DPD), not SPD, so as to ensure Examination by an independent Inspector. Whilst the Council has an SPD in accordance with the above, these policies should be tested through the DPD process and should be expressly set out in policy and not the subject of a cross reference to another policy.

Policy should be clear and with no ambiguity as to its application. For example, is it the Council's intention to apply the prevailing code level/ standard for Code for Sustainable Homes and BREEAM at that point in time? How will the Council address possible conflicts between Code and BREEAM, and the Mayor's policy?

#### Paragraph 3.6 'Wheelchair Accessibility'

Paragraph 3.6.1 states that the Council will expect ten percent of new homes to be fully wheelchair accessible. This implies that the wheelchair units would have to be constructed. The London Plan (2008) Policy 3A.5 and the Draft Replacement London Plan (2009) Policy 3.8 state: "ten percent of new housing is designed to be wheelchair accessible or easily adaptable for residents who are wheelchair users". Paragraph 3.6.1 does not reflect regional planning policy guidance, and should be updated accordingly, to state that ten percent of new housing is designed to be wheelchair accessible or adaptable for residents who are wheelchair users.

#### Paragraph 3.7 'Minimum Floorspace'

We seek clarity on what space standards will be adopted. The DPD makes reference to the minimum dwelling space size standards in the Draft Replacement London Plan (2009) and the London Borough of Barnet 'Design and Construction SPD', all of which differ.

In any event, floorspace standards should be applied flexibly, and considered on a site by site basis.

#### Paragraph 3.8 'Outdoor Garden Amenity Space'

If the Council intends to rely on the standards set out in the 'Sustainable Design and Construction SPD', these standards should be subject to review and testing in this DPD. In any event, the standards should be applied flexibly having regard to the characteristics of the site and surrounding area, and the nature of the proposed development.

The assertion that failure to meet the standards will result in a need for a financial contribution is arbitrary and predetermines the Council's assessment of the scheme and testing against the CIL Regulations, which state that:

"A planning obligation may constitute a reason for granting planning permission for the development if the obligation is –

- a) Necessary to make the development acceptable in planning terms;
- b) Directly related to the development; and
- c) Fairly and reasonably related in scale and kind to the development." (Regulation 122)

Paragraph 3.10 'Playspace' - Paragraph 3.10.2 states that in areas where a deficiency is identified, developments will be required to provide on site facilities or a financial contribution and than even in areas of sufficient provision, a contribution will be required.

Again, this approach predetermines the assessment of applications and assessment against the CIL Regulations.

Policy DM02: Development Standards - The policy itself lacks clarity as to what standards will be applied. Various references are made to other documents, however, no detail is provided on the levels/ standard within those policies/ documents that will be required. Overall, this provides little guidance or clarity. The standards to which the Council intend to apply to planning applications should be set out clearly and subject to Examination and testing.

### If you are Objecting, what changes are you seeking?:

The Development Management Policies DPD does not provide guidance on specific standards / levels which new development will need to meet, instead referring to other planning guidance. Climate change policy should be tested through independent Examination and through a DPD, not an SPD.

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**Council's response :**

The Development Standards policy sets out a range of standards which Barnet see as key for the borough. The purpose of the policy is to draw them together to help make it clear for developers which standards are important in Barnet. We do not expect all development to demonstrate compliance with all the standards. Some of the standards are amplified in the London Plan and some will be expanded on in Supplementary Planning Documents and some are good practice.

The London Plan policies on climate change will be applied. It is recognised that it is not possible for policy in the Sustainable Design and Construction SPD to go beyond the current timetable for the energy aspect of the Code for Sustainable Homes and improvements in Building Regulations. The SPD will support more environmentally aware developers use of the CSH and BREEAM to demonstrate their achievement of the Mayor's energy targets.

The supporting text which relates to wheelchair accessibility has been revised to reflect the approach adopted in the London Plan.

The Sustainable Design and Construction SPD will update Barnet's standards to the minimum dwelling space size standards as set out in the London Plan. The supporting text states that there may be some exceptions which will be considered on a case by case basis.

It is not a requirement to test outdoor amenity space standards in DPD. Inability to deliver suitable outdoor amenity space in line with the standards which will be set out in the Sustainable Design and Construction SPD would necessitate a S106 contribution in line with test one; necessary to make the development acceptable in planning terms. This does not predetermine an application.

Regarding playspace the policy is in line with the London Plan which recommends contributions whether there is deficiency or not.

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## Representation No: 620 / 3

**Name :**

**Organisation :** A2Dominion Housing

**Policy** Policy DM04: Environmental considerations for development

**Chapter:**

**Paragraph:** 5.12 – 5.9.2

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### Reason for Objecting or Supporting?:

Policy DM04: Environmental Considerations (b)

The London Plan (2008) Policy 4A.6 and the Draft Replacement London Plan (2009) Policy 5.6 seek the provision of Decentralised Energy Networks as part of major schemes, based on an order of preference.

In relation to the London Borough of Barnet, the provision of Decentralised Energy Networks should be considered in the context of that order of preference, the site, nature of the proposed development and the overall approach to energy. Development should not be compromised or prevented coming forward if a planned decentralised energy network is not in place. Unless there is a realistic and reasonable prospect of this facility being in place and that connection is feasible, development could not be resisted or delayed.

Policy DM04: Environmental Considerations (d) - Policy DM04 states that proposals to locate noise sensitive development in areas with existing high levels of noise will not normally be permitted. Although mitigation of noise impacts through design, layout, and insulation are considered, there is a general presumption against sensitive uses near high noise levels.

This approach is inappropriate. The test should be after impact is assessed and mitigation measures are implemented, what is the residual impact and is that residual impact acceptable?

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### If you are Objecting, what changes are you seeking?:

Summary - Planning policy should not predetermine the Council's assessment of the scheme and testing against CIL Regulations. Furthermore, the provision of Decentralised Energy Networks should be considered in the context of the site, nature of the proposed development and overall approach to energy. Finally, noise impact should be assessed once mitigation measures are implemented.

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### Council's response :

Policy DM04b is intended to compliment the policy approach set out in the London Plan. Policy 5.6 B applies to major development proposals stating that they should consider connection to existing networks first, then site based CHP and finally communal heating in individual buildings. Policy DM04 b relates to the areas with potential for decentralised energy identified in Barnet by the heat mapping study. The Brent Cross - Cricklewood regeneration area is identified as an area of high priority. In line with policy if connection to a wider network is not considered feasible then the ability to connect in future or contribution to a feasibility study will be expected. This helps to ensure that development can come forward or help contribute to the development of a decentralised energy network and not wait for a physical network to become available. It is not considered that this approach predetermines any application which would have to demonstrate compliance with the London Plan policy anyway whether it was inside or outside of the regeneration area.

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## Representation No: 620 / 4

**Name :**

**Organisation :** A2Dominion Housing

**Policy** Policy DM05: Tall Buildings

**Chapter:**

**Paragraph:** 6.1.2 – 6.1.7

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### **Reason for Objecting or Supporting?:**

Paragraph 6.1.3 - Paragraph 6.1.3 defines tall buildings as being eight storeys plus. This is an arbitrary use of 8 storeys and is overly prescriptive. In our view, the definition of tall buildings should be buildings that are significantly taller than their surroundings and/ or have a significant impact on the skyline (see London Plan paragraph 4.119)

Policy DM05: Tall Buildings - Policy DM05 is restrictive in the sense that it restricts tall buildings to certain sites, and does not consider how the character of the surrounding area will change. As tall buildings are developed, they will set the context for surrounding sites. Consequently, redevelopment of sites should be considered on a site by site basis, having regard to the existing and emerging character of the area.

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### **If you are Objecting, what changes are you seeking?:**

Summary - Policy DM05 is overly prescriptive and restrictive. Planning policy for tall buildings should consider site context, and the impact tall buildings' have on the surrounding environment.

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### **Council's response :**

The strategic locations for tall buildings is a strategic matter for the Core Strategy. It identifies the Brent Cross Cricklewood regeneration area as a strategic location for tall buildings. We note that A2 Dominion Housing have made no representations on the changes with regard with regard to tall buildings in the Core Strategy Pre-Submission Amendments. At Core Strategy Publication stage A2 Dominion did comment (495/1) and (495/10) on our approach to tall buildings in the Brent Cross Regeneration area.

The Tall Buildings Study is a companion piece to the Barnet Characterisation Study. It recognises that the concept of a tall building is relative to context and the Characterisation Study provides that context. Buildings of 8 storeys and above take on the attribute of a tall building in Barnet and therefore creates a borough wide definition.

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## Representation No: 620 / 5

**Name :**

**Organisation :** A2Dominion Housing

**Policy** Policy DM08: Ensuring a variety of sizes of new homes to meet housing need

**Chapter:**

**Paragraph:** 9.1.1 – 9.1.7

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### **Reason for Objecting or Supporting?:**

Policy DM08: Ensuring a variety of new homes to meet housing needs - Policy DM08 prioritises the following types of housing:

I. "For social rented housing – homes with 3 bedrooms are the highest priority;

II. For intermediate affordable housing – homes with 3 / 4 bedrooms are the highest priority; and

III. For market housing – homes with 4 bedrooms are the highest priority; homes with 3 bedrooms are a medium priority."

This policy must be sufficiently flexible in light of individual site circumstances and the availability of public subsidy. For further clarity, Policy DM08 should refer to the consideration of individual site characteristics also. When reviewing housing mix, the Policy should also acknowledge the wider benefits a scheme may provide. Each planning application should be assessed on its individual merits. Furthermore, PPS3, paragraph 23 states that: "developers should bring forward proposals for market housing which reflect demand and the profile of households requiring market housing, in order to sustain mixed communities". Assessment of the appropriateness of market housing mix should also relate to developers' knowledge of the local market and demand.

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### **If you are Objecting, what changes are you seeking?:**

Furthermore, Policy DM08 should not be restrictive. Housing mix should be considered on a site by site basis.

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### **Council's response :**

In line with the Core Strategy the objective of DM08 is to provide housing choice to meet the aspirations of existing and future residents. The policy emphasises variety of sizes and mix of types to provide choice. Within that context DM08 sets out our dwelling size priorities and is backed up by supporting text that states that the policy can be applied flexibly.

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## Representation No: 620 / 6

**Name :**

**Organisation :** A2Dominion Housing

**Policy** Policy DM10: Affordable housing contributions

**Chapter:**

**Paragraph:** 11.1.1 – 11.1.17

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### Reason for Objecting or Supporting?:

A2Dominion provides over 33,000 homes across London and southern England with thousands in development. It offers a wide range of housing options, including affordable rented, temporary, student, sheltered, supported and key worker accommodation, as well as homes for sale and shared ownership.

A2Dominion is the owner of the Geron Way site in Cricklewood, London, hereafter referred to as “the Geron Way site”. Through our previous discussions, you will be aware that our client has submitted a planning application on the site (ref F/01932/11) for: “Redevelopment to provide for 262 residential units, 812 sqm of commercial accommodation (B1, D1 and D2) and associated car parking and amenity space, and creation of new vehicular access from Edgware Road.”

This planning application is currently being considered by the London Borough of Barnet.

The Site extends to 1.453 ha and falls within the London Borough of Barnet Cricklewood, Brent Cross and West Hendon Regeneration Area.

Please note that representations have also been submitted on behalf of A2Dominion on the Core Strategy.

Planning Policy Statement 12 (PPS12) Guidance on Soundness - This representation highlights the key areas of support or objection that are most relevant to the Geron Way site. Principally, our comments are made in accordance with the guidance set out in Planning Policy Statement 12 (PPS12) – Local Spatial Planning (2008) which describes the ‘tests’ for assessing whether a development plan document is sound.

To be sound, a DPD should be justified, effective and in line with national planning policy: “Justified’ means that the document must be:

- Founded on a robust and credible evidence base;
- The most appropriate strategy when considered against the reasonable alternatives.

‘Effective’ means that the document must be:

- Deliverable;
- Flexible; and
- Able to be monitored.” (PPS12, page 24)

A2Dominion seeks to ensure that the emerging policies within the new LDF are the most appropriate in all circumstances, that they are founded on a robust evidence base and ensure that the plan is reasonably flexible to enable it to deal with changing circumstances and comply with national planning policy.

Policy DM10: Affordable Housing Contributions and Paragraph 11.1.3 - Policy DM10 states that all new developments providing 10 or more units will be required to achieve on-site, subject to viability, a minimum of 30% affordable housing. Paragraph 11.1.3 implies that in excess of 30% affordable housing will be sought on some sites subject to viability.

This provides a lack of certainty to developers when buying sites. It is unclear how and on what basis the Council will apply more than 30% affordable housing to larger schemes. Further clarity is needed. Each scheme should be considered on a site by site basis in the context of a known percentage provision. The level and type of affordable housing provided needs to be considered in the context of grant availability and the level of developer contributions for on-site and off-site infrastructure works, and not on its size as set out in Paragraph 11.1.3.

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### If you are Objecting, what changes are you seeking?:

Summary - Affordable housing provision should be considered on a site by site basis. Policy DM20 is currently unclear, and does not provide certainty. It is not for the Council to seek beyond 30% affordable housing provision on larger sites. Affordable housing provision is influenced by a whole manner of factors.

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### Council’s response :

The policy has been revised to clarify that the maximum reasonable amount of affordable housing is expected whilst having regard to the borough-wide target of 30% affordable housing, subject to viability. This is supported by the Affordable Housing Viability Study which identifies that in some situations it will be viable to provide more than 30% affordable housing. Please see Pre-Submission Amendments to the Development Management Policies DPD.

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## Representation No: 620 / 7

**Name :**

**Organisation :** A2Dominion Housing

**Policy** Policy DM11: Development principles for Barnet's town centres

**Chapter:**

**Paragraph:**

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### **Reason for Objecting or Supporting?:**

Policy DM11: Development Principles in the Town Centre - Policy DM11 'a: Town Centre Uses' states that significant new retail and other appropriate uses outside the town centres or any expansion of existing out of centre sites will be refused unless they can meet the sequential approach and tests set out in Planning Policy Statement 4 or are identified in an adopted Area Action Plan (emphasis added).

This policy is unclear as it does not define 'significant' development. Further clarity is sought on what constitutes significant development in Policy DM11, to understand how the policy will be applied in practice.

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### **If you are Objecting, what changes are you seeking?:**

Further clarity is sought on Policy DM11. The term 'significant' provides no clarity.

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### **Council's response :**

The supporting text sets out the thresholds which define significant. It will apply to all out of centre retail development and extensions to existing retail which exceed 200m2.

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## Representation No: 620 / 8

**Name :**

**Organisation :** A2Dominion Housing

**Policy** Policy DM13: Community and education space

**Chapter:**

**Paragraph:**

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### **Reason for Objecting or Supporting?:**

Policy DM13: Community and Education Uses

Policy DM11 'b: New Community or Educational Use' is overly restrictive in the sense that it seeks to prevent new community and educational uses in out of town locations. Community uses should be based on need and capacity, rather than the sequential test. Consequently, community and educational facilities should be considered on a site by site basis.

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### **If you are Objecting, what changes are you seeking?:**

Summary - Policy DM13 is too restrictive. Community facilities should be considered favourably. Consideration should be given to demand and capacity.

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### **Council's response :**

The intention is to encourage new community and educational uses towards town centres and more accessible locations. However where it can be demonstrated that no sites are available then alternative sites will be expected to be accessible to public transport, walking and cycling.

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## Representation No: 620 / 9

**Name :**

**Organisation :** A2Dominion Housing

**Policy** Policy DM17: Travel impact and parking standards

**Chapter:**

**Paragraph:**

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### **Reason for Objecting or Supporting?:**

Policy DM17: Travel Impact and Parking Standards 'd: Transport Assessment' states that in considering a planning application for new development, the Council will require developers to submit a full Transport Assessment. Transport Assessments are not appropriate in all instances. For example for some schemes, a Transport Statement may be adequate. We therefore suggest that the scope of the Transport Assessment/ Statement should be agreed as appropriate.

Policy DM17: Travel Impact and Parking Standards 'g: Parking Management' states that 1 car parking spaces should be provided per unit for terraced houses and flats. This policy is too prescriptive. Car parking should be based on existing and anticipated PTAL rating. Consequently, parking provision should be considered on a site by site basis, rather than applying the standards set out in 'g' to all sites, no matter what their PTAL rating.

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### **If you are Objecting, what changes are you seeking?:**

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#### **Council's response :**

Transport assessments are not appropriate in all instances which is why the policy goes on to say that the submission of a transport assessment is required where the proposed development is anticipated to have significant transport implications.

The policy sets out the minimum parking standards for new development which will ensure appropriate parking provision for Barnet as a borough in Outer London. This is on the basis that Outer London has different needs to Inner or Central London. These standards will closely reflect the existing UDP standards of 1 space for units of 1 - 3 bedrooms for new flats and terraced houses and 2 or more spaces for 4 bedroom family houses. They differ to those set out in the London Plan. PTAL is just one consideration when determining parking levels with the others set out in paragraph 18.8.2. Part 2 of policy DM17g sets out the Council's approach to determining whether development which proposed limited or no parking. We consider this provides suitable flexibility for developers.

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## Representation No: 620 / 10

**Name :**

**Organisation :** A2Dominion Housing

**Policy** Policy DM10: Affordable housing contributions

**Chapter:**

**Paragraph:**

11.1.5

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### Reason for Objecting or Supporting?:

Table 3.1 National and London Plan Guidance on Standards - Table 3.1 makes reference to Planning Policy Statement 3: Housing (PPS3) (2010). Since the publication of this draft paper, an updated PPS3 (June 2011) has been published. This table should reflect the latest planning policy guidance.

Paragraph 9.1.3 - Paragraph 9.1.3 identifies social rented housing, intermediate housing and market housing as the three housing types in tenure. However, affordable rent has been identified as an additional affordable housing type in Planning Policy Statement 3: Housing (June 2011) (PPS3). Affordable rent comprises: "Rented housing let by registered providers of social housing to households who are eligible for social rented housing. Affordable Rent is not subject to the national rent regime<sup>34</sup> but is subject to other rent controls that require a rent of no more than 80 per cent of the local market rent." (PPS3 Annex B 2011). In accordance with national planning policy guidance, this form of affordable housing should be identified in the Development Management Policies DPD. Affordable rent should be considered a form of affordable housing in the London Borough of Barnet.

The affordable housing policy and evidence base should also be reviewed in this context.

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### If you are Objecting, what changes are you seeking?:

Summary - The DPD should identify affordable rent as a form of affordable housing.

---

### Council's response :

Reference to affordable rented housing has been added in box 11.1. Additional text has been added to paragraph 11.1.5 to clarify the Council's approach to the recent revision to national policy with regards to affordable rented housing. Please see Pre-Submission Amendments to the Development Management Policies DPD.

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## Representation No: 621 / 1

Name :

Organisation : Bestway Holdings Ltd

Policy Introduction

Chapter:

Paragraph:

1.4.3

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### Reason for Objecting or Supporting?:

The Saved UDP and Development Framework policies are not part of the Council's LDS and will not be part of the adopted LDF (CS Para 20.1 lists the suite of documents that will provide the framework for decisions on planning applications - this list rightly does not include the adopted UDP and Development Framework). In addition, neither document has been subject to the same level of scrutiny as other LDF documents (e.g. a Sustainability Appraisal, as well as consideration of key tests of being deliverable, flexible and easily able to be monitored). Consequently, it is unsound and unlawful for the LDF to rely on (and cross refer) to the policies/text within the UDP and Development Framework (the Council will also be familiar with Bestway's earlier comments, supported by the Counsel's Opinion, which have identified a serious flaw in the UDP in relation to the purported allocation of a waste handling facility at Geron Way).

---

### If you are Objecting, what changes are you seeking?:

The Council should prepare a new set of up to date policies (based on the latest national guidance for preparing LDF documents), which cover the Brent Cross-Cricklewood area. It is these policies which should be used when assessing planning applications in the regeneration area once the LDF has been adopted.

As such DM para 1.4.3 should be deleted and the Development Management DPD should be updated to include a new section which sets out the updated development management policies which will shape the future of the Brent Cross-Cricklewood regeneration area and against which any future planning applications within the area should be assessed.

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### Council's response :

This is a strategic issue for the Core Strategy. We note that Bestway did not make representations to the publication stage of the Core Strategy when Policy CS2 and our approach to supporting the regeneration and development of Brent Cross Cricklewood was subject to consultation.

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## Representation No: 622 / 1

**Name :**

**Organisation :** Bride Hall Holdings Ltd

**Policy** Policy DM04: Environmental considerations for development

**Chapter:**

**Paragraph:**

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### Reason for Objecting or Supporting?:

Bride Hall object to part b) of this policy on the basis that it is ineffective as currently worded and therefore unsound. Whilst the aims of this policy are generally supported in its objective to ensure that new development has a high level of energy efficiency and utilises available opportunities for the use/generation of lower carbon energy sources including Decentralised Energy, the policy wording is not very well defined. Incorporating systems to connect to district power/heating systems or Decentralised Energy sometime in the future will require a substantial investment in itself. For new development to incorporate future connections, developers and investors within Barnet will need to have greater certainty that any such system will be operational within a reasonable time frame and as such greater certainty is required to ensure that any investment into infrastructure is worthwhile and will be tailored to integrate with any proposed Decentralised Energy system.

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### If you are Objecting, what changes are you seeking?:

For these reasons the following amendments are suggested to part b) of this policy: "Where decentralised energy (DE) is planned major developments will be encouraged to provide either:

- a suitable connection; or
- the ability to connect in the future

Depending on the delivery timescale for the DE.

Where decentralised Energy is not already planned major developments may be required to provide either:

- a feasibility study; or
- a financial contribution to a proposed feasibility study."

---

### Council's response :

Policy DM04b is intended to compliment the policy approach set out in the London Plan. Policy 5.6 B applies to major development proposals stating that they should consider connection to existing networks first, then site based CHP and finally communal heating in individual buildings. Policy DM04 b relates to the areas with potential for decentralised identified in Barnet by the heat mapping study. Edgware is not identified as a priority area for decentralised energy therefore the London Plan policy will apply to major development in this location.

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## Representation No: 622 / 2

**Name :**

**Organisation :** Bride Hall Holdings Ltd

**Policy** Policy DM05: Tall Buildings

**Chapter:**

**Paragraph:**

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### Reason for Objecting or Supporting?:

Bride Hall note and support the consistency between this policy and policy CS5 in the Core Strategy, which provides 'in principle' support for tall buildings within Edgware town centre as a "strategic location" identified in the Core Strategy.

We note the four criteria listed within the policy which we support as important matters to be considered and achieved where practical, within any proposals for tall buildings.

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### If you are Objecting, what changes are you seeking?:

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#### Council's response :

We welcome this support

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## Representation No: 622 / 3

**Name :**

**Organisation :** Bride Hall Holdings Ltd

**Policy** Policy DM08: Ensuring a variety of sizes of new homes to meet housing need

**Chapter:**

**Paragraph:**

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### Reason for Objecting or Supporting?:

Bride Hall object to this policy on the basis that it is ineffective as currently worded and therefore unsound. Bride Hall acknowledge the need to provide an appropriate mix of dwelling types and sizes in order to meet local housing needs. However, as housing needs and priorities will change over time we do not consider that this text (i.e. the second paragraph of the policy) should form part of the supporting text where it could also be explained that as housing needs change over time, applicants should seek advice from the council at the time of bringing forward proposals on current housing priorities.

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### If you are Objecting, what changes are you seeking?:

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#### Council's response :

In line with the Core Strategy the objective of DM08 is to provide housing choice to meet the aspirations of existing and future residents. The policy emphasises variety of sizes and mix of types to provide choice. Within that context DM08 sets out our dwelling size priorities and is backed up by supporting text that states that the policy can be applied flexibly. The LDF is an evidence based plan. Evidence of changes in housing need in Barnet will be reflected in changed housing priorities and a review of the plan.

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## Representation No: 622 / 4

**Name :**

**Organisation :** Bride Hall Holdings Ltd

**Policy** Policy DM10: Affordable housing contributions

**Chapter:**

**Paragraph:**

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### **Reason for Objecting or Supporting?:**

Bride Hall are pleased to see that the approach taken to provision of affordable housing within this draft policy recognises the constraint of viability. The issue of viability is one that has recently been recognised at national level (Ministerial Statement of 23 March refers). In that Statement the government has made it clear that local planning authorities should ensure that s106 obligations do not impose unnecessary burdens on development and are not drawn up so as to render schemes unviable. The current economic climate is continuing to have significant impacts on the viability of all development. Redevelopment schemes within town centres are particularly at risk of being unviable due to their typically complex context including land ownerships/leases; access constraints ; and built context. While we acknowledge the objective of achieving 30% affordable provision on-site, it is vital that the policy continues to allow for variation from that on the grounds of viability for all residential schemes regardless of the number of units provided.

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### **If you are Objecting, what changes are you seeking?:**

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#### **Council's response :**

The policy has been revised to clarify that the maximum reasonable amount of affordable housing is expected whilst having regard to the borough-wide target of 30% affordable housing, subject to viability. The approach is supported by the Affordable Housing Viability Study which identifies that in some situations it will be viable to provide more than 30% affordable housing. Please see Pre-Submission Amendments to the Development Management Policies DPD.

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**Name :**

**Organisation :** Bride Hall Holdings Ltd

**Policy** Policy DM11: Development principles for Barnet's town centres

**Chapter:**

**Paragraph:**

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**Reason for Objecting or Supporting?:**

We support the priority given to major new retail development within town centres, in accordance with national policy and policy CS6 of the Core Strategy. However, we object to some aspects of the detailed policy wording as explained below.

Bride Hall acknowledge the principles of maintaining street frontage and avoiding inward looking layouts to new retail development, but would emphasise that there are some instances in which the particular physical circumstances (layout of development, access, servicing requirements and surrounding built context) may mean that street frontage or outward looking layouts are not possible. Where there is an existing internal mall, it is usually not possible to create double fronted shop units as these create operational difficulties with layout, storage, servicing access and introduce greater security issues.

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**If you are Objecting, what changes are you seeking?:**

In order to ensure that his policy is effective (and therefore sound), we would therefore request that the following changes are made to the wording of DM11 iv to reflect this (bold text):

"iv any significant new retail development will be expected to provide a mix of unit sizes, and where practical avoid an inward looking layout, maintain the street frontage and provide suitable and convenient linkages for shoppers to access other town centre uses".

Section 3 of Policy DM11 runs contrary to the spirit of PPS4 when it effectively introduces a bar to the location of community, leisure and cultural uses in town centres unless they can provide active frontages. The implication of this is that there are some circumstances where a PPS4 recognised town centre use would not be supported in a town centre location. There are likely to be instances where a significant new leisure or cultural use is proposed as part of a town centre development scheme, but where it is not feasible or practical to create a fully active frontage (such as a cinema). We therefore consider that in order to be justified and effective (and therefore sound), this element of the policy should be reworded as follows:

"Where proposals for new and relocated community, leisure and cultural uses (including arts) are proposed within town centres, they should be designed to incorporate active frontages wherever practical."

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**Council's response :**

We recognise that in some instances it may not be possible to avoid an inward looking layout but we would expect every effort to be made to address this. The policy as drafted will be retained.

Section 3 will only apply to maintaining existing active frontages. Development not on the frontages would not be required to provide an active frontage.

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## Representation No: 622 / 6

**Name :**

**Organisation :** Bride Hall Holdings Ltd

**Policy** Policy DM17: Travel impact and parking standards

**Chapter:**

**Paragraph:**

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### Reason for Objecting or Supporting?:

Bride Hall object to part g(2) of this policy on the basis that it is ineffective as currently worded and therefore unsound. Part g(2) refers to parking for residential uses where limited or no parking is proposed.

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### If you are Objecting, what changes are you seeking?:

We consider that the range of circumstances when this may be acceptable should be expanded to include the following circumstances.

"iii. There is sufficient public transport provision to justify a lower parking provision and that it can be demonstrated that any lower provision will not have a significant adverse impact on the local area."

This is because there may be circumstances where a development site is located in close proximity to public transport facilities and there will therefore be less need for residents to own a car. In such cases it may be appropriate to have reduced parking provision and the policy should provide flexibility to achieve this.

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### Council's response :

Access to public transport is one of the considerations set out in paragraph 18.8.2.

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## Representation No: 623 / 1

**Name :** Mr Warren Forsyth

**Organisation :** Middlesex University

**Policy** Policy DM09: Specialist housing

**Chapter:**

**Paragraph:**

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### Reason for Objecting or Supporting?:

As a key stakeholder in the Borough and an active member of the Local Strategic Partnership, the University has been involved in all stages of the LDF process to date and has made appropriate representations. The University is pleased that virtually all of its comments and suggestions have been fairly reported and taken account of in the Council's reports on consultation and the revised Development Management Policies Document. Specifically, in relation to Policy DM09 we welcome the explicit reference made to the Student Village (as identified in the Colindale AAP) in paragraph 10.4.3. The University is grateful its comments have been taken into consideration, and this change will ensure consistency between the adopted APP and this Development Management Policies Document.

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### If you are Objecting, what changes are you seeking?:

### Council's response :

We welcome this support

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## Representation No: 623 / 2

**Name :** Mr Warren Forsyth

**Organisation :** Middlesex University

**Policy** Policy DM13: Community and education space

**Chapter:**

**Paragraph:**

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### **Reason for Objecting or Supporting?:**

With reference to the University's previous comments on Policy DM13: Community and education uses, although the changes to this policy were not exactly as the University had proposed, we welcome the changes introduced by part 'b' of the policy, to allow provision for higher education development to be located outside of town centres in locations which are accessible by public transport, cycling and walking.

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### **If you are Objecting, what changes are you seeking?:**

The University would, however, welcome confirmation that the Council considers the existing Middlesex University Hendon campus as a site that is accessible by public transport, cycling and walking. We recognise, of course, that any future application for significant development at the campus will need to be accompanied by an appropriate Transport Assessment and supported by a Travel Plan.

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### **Council's response :**

The Middlesex University Hendon campus is considered to be accessible by public transport, cycling and walking.

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## Representation No: 623 / 3

**Name :** Mr Warren Forsyth

**Organisation :** Middlesex University

**Policy** Policy DM17: Travel impact and parking standards

**Chapter:**

**Paragraph:**

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### **Reason for Objecting or Supporting?:**

The only outstanding issue that the University would like to bring to the Council's attention relates to its objection to any explicit or implied requirement to comply with the unrealistic cycle parking requirements set out in the London Plan for higher education establishments. The University appreciates the changes that have been made to Policy DM17 and its explanatory text.

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### **If you are Objecting, what changes are you seeking?:**

It does not object to the policy itself and welcomes the amendment of this policy to include part 'e' which supports the use of travel plans. The University would, however, like to see an amendment made to paragraph 18.8.6 of the supporting text to read, "Parking for bicycles and electric vehicle charging points will generally be provided in accordance with the London Plan or as agreed with the Borough in a Travel Plan for all new development."

The reason for this is that the cycle parking standards within the London Plan for Higher Education Facilities are wholly unrealistic when applied to a University campus such as that at Hendon. As such, there should be flexibility that allows cycle parking facilities to be determined by transport assessments and travel plans, in order to appropriately respond to the need to reduce car journeys while meeting the needs of the University's staff, students and visitors.

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### **Council's response :**

To reiterate our previous response we are required to be in general conformity with the London Plan which includes cycle parking standards. Also the London Plan makes clear that parking standards in PPG13 should be used where there is no standard in the London Plan. PPG13 sets out standards for higher education facilities.

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## Representation No: 624 / 1

Name : Mr Philip Murphy

Organisation : Brent Cross Cricklewood Development Partners

Policy Introduction

Chapter:

Paragraph:

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### Reason for Objecting or Supporting?:

The Core Strategy Submission Stage, the pre-submission Amendments to which are currently being consulted on, sets out the Council's intended approach toward policies relating to BXC, which involves retaining the saved policies of Chapter 12 of the UDP as well as the Development Framework. The Development Partners support the principle of this approach.

The retention of these saved policies is recognised at paragraph 1.4.3 and so as to secure the redevelopment of Brent Cross Cricklewood these saved policies will continue to operate until it is considered appropriate to replace them. The document continues to state that where required, BXC will be referenced in this document to clarify the policy application. However, we consider that this wording could give rise to tensions between the policies of the Development Management Policies and those set out in the Core Strategy relating to BXC, particularly as so far as we can see, very little referencing clarifying the policy application with respect to BXC has been made.

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### If you are Objecting, what changes are you seeking?:

Therefore, the Development Partners suggest the following amendment: "Where required BXC will be referenced in this document to clarify the policy application and if no reference is made to BXC, the policies in the Core Strategy will take precedent in the event of a conflict". (paragraph 1.4.3)

However, should this suggested quote not be acceptable, we reserve the right to re-examine the document to highlight any tensions and submit further objections and propose changes to overcome any tensions.

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### Council's response :

We consider that the approach to Brent Cross Cricklewood is clearly set out in the Core Strategy. The key document in Barnet's LDF. The Core Strategy clearly sets out the relationship between the LDF's Core document and the implementation of the saved suite of UDP policies for Brent Cross Cricklewood set out in Appendix A of the Core Strategy together with the Development Framework. Cross reference to this approach is set out at section 1.4 of the DMP document. We have added additional text at paragraph 18.8.8 relating to application of car parking standards for Brent Cross Cricklewood.

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## Representation No: 624 / 2

**Name :** Mr Philip Murphy

**Organisation :** Brent Cross Cricklewood Development Partners

**Policy** Policy DM08: Ensuring a variety of sizes of new homes to meet housing need

**Chapter:**

**Paragraph:**

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### **Reason for Objecting or Supporting?:**

The policy sets out the Council's priorities with regard to mix of dwelling types and sizes, however it continues to fail to recognise that such priorities will not be applicable to all developments and locations across the borough.

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### **If you are Objecting, what changes are you seeking?:**

To this end it is recommended that the following modifications are made to Policy DM08:

"Our dwellings size priorities are the following but will be applied on a case by case basis having regard to the particular circumstances of the proposed development including characteristics and densities of Town Centre development".

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### **Council's response :**

The supporting text states that the policy can be applied flexibly and refers specifically to town centres as a location where the dwelling size priorities may not be appropriate.

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## Representation No: 624 / 3

Name : Mr Philip Murphy

Organisation : Brent Cross Cricklewood Development Partners

Policy Policy DM14: New and existing employment space

Chapter:

Paragraph:

### Reason for Objecting or Supporting?:

The policy deals with new and existing employment space. Given that the BXC development contains existing industrial employment floorspace to be relocated and proposes new office floorspace, the policy is directly relevant.

### If you are Objecting, what changes are you seeking?:

However, as drafted the policy does not reflect the employment issues that arise at BXC and as a result the following alterations are necessary:

"Policy DM14: New and existing employment space

a: Existing employment space

i. Proposals which result in a redevelopment or change of use of a Locality Significant Industrial Site or Industrial Business Location as shown on the Proposals Map to a non B Class use will not be permitted.

li. Outside these locations loss of a B Class use will only be permitted where it can be demonstrated to the Council's satisfaction that a site is no longer suitable and viable for its existing or alternative business use in the short, medium and long term and a suitable period of active marketing has been undertaken, or its loss is required as a result of wider regeneration proposals. Where this can be demonstrated the priority for re-use will be a mixture of small business units with residential use.

lii. Office space (Class B1) should be retained in town centres and edge of centre locations. Loss of office space (Class B1) will only be permitted in town centres and edge of centre locations where it can be demonstrated to the Council's satisfaction that a site is no longer suitable and viable for its existing or alternative business use in the short, medium and long term and a suitable period of active marketing has been undertaken. Where this can be demonstrated the proposal will be expected to provide appropriate mixed use re-development which provides some re-provision of employment use, residential and community use.

Iv. Proposals to redevelop or reuse an existing employment space which reduces the levels of employment use and impacts negatively on the local economy will be resisted.

V. Where appropriate, loss of employment space will be expected to provide mitigation in the form of contributions to employment training.

B: New employment space

i. Brent Cross Cricklewood is expected to deliver a large amount of new office floorspace as part of the emerging town centre. All proposals for new office space, beyond Brent Cross Cricklewood would follow a sequential approach which considers town centre sites before edge of centre sites.

li. New industrial/warehousing space will be expected to locate in Locally Significant Industrial sites. Warehousing uses or uses which generate high levels of movement should be located in close proximity to tier one and two roads as set out in DM17 Travel Impact and Parking Standards and minimise impact on residential areas.

lii. Proposals for new employment space will be expected to provide on site servicing for the intended use and include space for waiting for goods vehicles."

### Council's response :

We consider that the approach to Brent Cross Cricklewood is clearly set out in the Core Strategy. The key document in Barnet's LDF. The supporting text continues to identify the loss of industrial land and the new office floorspace which is subject to the BXC planning application and will be treated separately from the approach set out in this policy. We consider that this is appropriate and not necessary to identify in the policy.

## Representation No: 624 / 4

**Name :** Mr Philip Murphy

**Organisation :** Brent Cross Cricklewood Development Partners

**Policy** Policy DM15: Green Belt and open spaces

**Chapter:**

**Paragraph:**

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**Reason for Objecting or Supporting?:**

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**If you are Objecting, what changes are you seeking?:**

Policy DM15: Green Belt and Open Spaces

The policy identifies the exceptional circumstances in which existing open space could be lost, however, for clarity we would continue to recommend the following modifications: "...In exceptional circumstances loss of open space will be permitted such circumstances include where the following can be satisfied..."

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**Council's response :**

The policy clearly sets out the two exceptional circumstances where it's acceptable for open space to be lost. Adding the wording 'such circumstances include' implies that there may be other exceptional circumstances where loss could be acceptable which is not the case and would add ambiguity to the policy approach.

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## Representation No: 624 / 5

**Name :** Mr Philip Murphy

**Organisation :** Brent Cross Cricklewood Development Partners

**Policy** Policy DM17: Travel impact and parking standards

**Chapter:**

**Paragraph:**

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**Reason for Objecting or Supporting?:**

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**If you are Objecting, what changes are you seeking?:**

The policy sets out specific parking standards for new development in the Borough. Given that parking standards relating to BXC are already covered in Policy C8 of Chapter 12 of the UDP, the following wording should be added to Policy DM17: "Specific parking standards for BXC are addressed in Policy C8 of Chapter 12 of the UDP."

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**Council's response :**

Reference has been added in the supporting text which clarifies that the standards for BXC are addressed in Policy C8 of Chapter 12 of the UDP. Please see Pre-Submission Amendments to the Development Management Policies DPD.

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## Representation No: 625 / 1

**Name :**

**Organisation :** Comer Group

**Policy** Policy DM02: Development standards

**Chapter:**

**Paragraph:**

3.6

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### Reason for Objecting or Supporting?:

The supporting text to policy DM02 indicates that the Council will expect 10% of all new homes to be fully wheelchair accessible. This is unsound as it is not justified. The text conflicts with forthcoming advice within the existing London Plan (2008) and the Draft Replacement London Plan (2009), within which Policy 3A.5 and Policy 3.8 Housing Choice respectively seek that 10% of all new homes are adaptable to wheelchair standards, not initially designed so.

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### If you are Objecting, what changes are you seeking?:

Reword "...10% of new homes to be fully wheelchair accessible" with "...10% of new housing be adaptable to incorporate wheelchair standards."

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### Council's response :

The supporting text has been amended to reflect the approach set out in London Plan policy 3.8. Please see Pre-Submission Amendments to the Development Management Policies DPD.

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## Representation No: 625 / 2

**Name :**

**Organisation :** Comer Group

**Policy** Policy DM08: Ensuring a variety of sizes of new homes to meet housing need

**Chapter:**

**Paragraph:**

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### **Reason for Objecting or Supporting?:**

Policy DM08 identifies dwelling size priorities for residential development in Barnet, supported principally by Barnet's Annual Monitoring Report and the North London Strategic Housing Market Assessment. The priorities indicate a preference for the delivery of larger dwelling sizes across all sectors. However this is not wholly supported by the Core Strategy evidence base, thus is not justified, nor is it effective as it is inflexible. The North London SHMA December 2010 identifies it is not necessarily the supply of larger homes that requires remedy, but the affordability of them. Further to this, Barnet actually contains a lower proportion of one, two and three bedroom dwellings comparative to the sub-region as a whole, and a much higher proportion of properties with 4 or more rooms. The SHMA estimates that the most significant demand, based upon recent household flows and the adjusted Housing Needs Index, will be for 2 bedroom market and 1 bedroom social housing (para. 108).

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### **If you are Objecting, what changes are you seeking?:**

We would recommend changing the wording of DM08 to enable greater flexibility in the delivery of a mix of housing sizes. Whilst there is demand for Barnet's priority housing, the SHMA also identifies a continuing need for smaller properties, and the variation in demand between sectors. We would recommend including wording to the effect of acknowledging the Council's priorities whilst incorporating flexibility to support the delivery of a mix of housing sizes to meet overall demand.

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### **Council's response :**

As well as the evidence set out in the SHMA on household types the policy is also informed by the balance of delivery in the borough as monitored in the Annual Monitoring Report. This demonstrates that housing supply since monitoring began in 2004 is skewed towards flatted development with small units dominating supply. The supporting text states that the policy can be applied flexibly.

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**Name :**

**Organisation :** Comer Group

**Policy** Policy DM10: Affordable housing contributions

**Chapter:**

**Paragraph:**

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**Reason for Objecting or Supporting?:**

Policy DM10 and the supporting text indicates that for schemes above 10 units a minimum of 30% affordable housing will be sought; however between 10-15 units this target will be flexible subject to an assessment of financial viability, site size, suitability for affordable housing and the intended management of the affordable housing.

The supporting text indicates that a site over 0.4ha will trigger a contribution an affordable housing contribution, and this will be calculated in terms of habitable rooms or floorspace. We feel this is unsound as the policy is neither justified nor effective. The prescriptive approach, as opposed to a flexible one, is not the most appropriate strategy in the delivery of residential development or affordable housing.

If a site exceeds 0.4ha it does not automatically indicate that the site is suitable for the delivery of affordable housing. The same criteria against which flexibility will be applied to smaller site sizes should be considered in relation to larger sites as proportionally the viability of a development would not change.

For example poor access to public transport may limit the suitability for affordable housing as there will be greater reliance on private, and more expensive, forms of transport.

The context of a site may not be suitable for affordable housing due to existing land values, in which instance an off-site or financial contribution in lieu may be more appropriate to delivering affordable housing throughout the Borough in more suitable locations.

A flexible approach may enable considerable planning gain through s106 contributions as opposed to forcing the delivery of inappropriately located affordable housing. By restricting flexibility of affordable provision to solely smaller sites could limit the provision of potentially very well located affordable units; it is often smaller sites that are centrally located with good access to transport and local services whilst larger, strategic sites are often peripheral.

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**If you are Objecting, what changes are you seeking?:**

We would recommend additional wording is included within Policy DM10 to acknowledge that on larger sites, i.e. those over 0.4ha, the provision of affordable housing, ideally on site or provided as off-site or an in lieu payment in exceptional circumstances would be required, but the proportion will be flexible according to the following criteria;

Site Size

Financial Viability

Management of Affordable Housing

Transport

Suitability for Affordable Housing

To ensure the Policy was deliverable, further guidance would be required to clarify the form of measurement of the suitability for affordable housing on a site by site basis.

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**Council's response :**

The site threshold of 0.4 hectares is based on the historic application of the affordable housing policy and is derived from 0.5 hectares identified in Circular 6/98: Planning and affordable housing which identified this threshold for affordable housing in London. The adopted London Plan 2004 encouraged boroughs to go below this threshold and led to the introduction of the lower threshold of 10 units and 0.4 hectares in Barnet's UDP adopted 2006. This threshold was based on a review of the size of housing sites delivered in Barnet at the time. We believe that this threshold remains appropriate and relevant to Barnet. As a suburban borough Barnet has a variety of housing typologies as identified in the Characterisation Study. The typologies include large detached houses which can occupy sites exceeding 0.4 hectares.

The policy has been revised to clarify that the maximum reasonable amount of affordable housing is expected whilst having regard to the borough-wide target of 30% affordable housing, subject to viability. This level of delivery of affordable housing is considered suitable and flexible for Barnet. Viability still applies to schemes over 15 units. Site size and management of affordable housing are both viability issues as is the landvalue. If a site is not suitable for affordable housing then it won't be suitable for market housing either. Finally access to public transport is not considered relevant with regards to the delivery of affordable housing. Please see Pre-Submission Amendments to the Development Management Policies DPD.

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## Representation No: 625 / 4

**Name :**

**Organisation :** Comer Group

**Policy** Policy DM14: New and existing employment space

**Chapter:**

**Paragraph:**

15.2.2

### Reason for Objecting or Supporting?:

Table 15.1 identifies the national (PPS4) and regional (via the London Plan) approach to the employment space, in particular the role of Boroughs to identify and manage Locally Significant Industrial Sites (LSIS). The London Plan recommends that Boroughs manage the release of industrial land for other uses; Barnet is identified as suitable for limited transfer.

Paragraph 15.2.2 goes on to state that LSIS may not be redeveloped for non-employment purposes under any circumstances. This is in conflict with the advice of PPS4 and the London Plan by effectively only considering the release of non-designated employment land. By not identifying any process for de-designation, Policy DM14 has the potential to “unnecessarily inhibit other strategic and local planning objectives, especially those to provide more housing (including affordable housing) and, in appropriate locations, to provide social infrastructure.” (The Mayor’s Industrial Capacity SPG as within the Draft Replacement London Plan Examination in Public report).

We therefore consider that Policy DM14 and the supporting text is unsound as it is unjustified and ineffective, being inflexible and therefore not deliverable. There is no method for de-designation which could severely restrict the supply of deliverable development sites over the life time of the plan. PPS12 recommends that the lifetime of Local Development Framework Development Plan Documents extend to fifteen years, thus it is unduly restrictive to anticipate that the sites currently subject to designation will continue to operate most efficiently under an industrial use. The intention of Barnet to concentrate employment space in the Brent Cross Cricklewood redevelopment could exasperate the situation by reducing demand for office, or employment space in other parts of the Borough.

### If you are Objecting, what changes are you seeking?:

In order to accord with national and regional policy, Policy DM14 and the supporting text needs to acknowledge the potential for currently designated sites to be re-assessed and possibly released in the future, or released in part to enable optimisation of development sites. This assessment could be restricted to instances when a more efficient land use is proposed for a site that will provide significant planning gains for the Borough. In this way the land available can be optimised over the plan period.

The current policy is too restrictive and needs to accord with policy that requires the managed release of industrial land. Following a(i) the following wording should be inserted, “The release of designated land will occur only in exceptional circumstances following a thorough assessment and approval of a suitable redevelopment option. The level of planning gain must be sufficient to warrant any loss of employment space where it has been demonstrated there is no longer a viable level of demand.”

### Council’s response :

In line with PPS4 the existing and future supply of land available for economic development has been assessed. As part of the Employment Land Survey the site was assessed and it scored well across all categories so is being retained as a Industrial Business Park. Other sites that did not score well have been released. The London Plan supports the designation of Locally Significant Industrial Locations in policy 4.4. The site is identified in the London Plan as a Industrial Business Park. The LDF will monitor the availability of employment land by type in the Annual Monitoring Report. Paragraph 13.2.4 in the Core Strategy sets out the future role of Brent Cross Cricklewood in addressing the growth in the service orientated employment. The rest of Barnet will still have a role to play in providing employment space to smaller businesses.

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## Representation No: 625 / 5

**Name :**

**Organisation :** Comer Group

**Policy** Policy DM14: New and existing employment space

**Chapter:**

**Paragraph:**

15.2.2

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### Reason for Objecting or Supporting?:

Paragraph 15.2.2 defines LSIS as “Industrial sites and business locations that have been assess as high quality and viable are protected and identified as Locally Significant Industrial Sites, (suitable for Class B2 and B8 uses)...” We feel this definition is incorrect when applied to certain sites that Barnet has designated as LSIS, whereby the present operation and occupancy of an ‘industrial site’ has been disregarded. This guidance is unsound as it is ineffective.

The definition of an LSIS is not an accurate description of the North London Business Park, as designated by the Borough and identified within Map 9. The NLBP provides office accommodation, and the lawful use is understood to fall within Class B1 of the Town and Country Planning (Use Classes) Order 1987 (as amended). However due to the LSIS designation and lack of policy direction with regards to the release of this land, there are severe restrictions upon the redevelopment of the site, even though it has experienced persistent vacancy over the last 12 months and presents a highly deliverable redevelopment option, whereby an element of employment space will be retained and reprovided.

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### If you are Objecting, what changes are you seeking?:

The definition of the LSIS needs to either be updated to reflect the operation of sites falling under the designation or the sites that are currently designated should be reassessed to ensure conformity with the aim of such designations.

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### Council’s response :

Paragraph 15.2.2 identifies NLBP as a Industrial Business Park which is its designation in the London Plan. The London Plan sets out the activities expected such as research and development, light industrial and higher value general industrial, some waste management, utility and transport functions, wholesale markets and small scale distribution. The designation of the area shown in Map 9 as a LSIS does not conflict with the designation as a development area in the Core Strategy. This is consistent with the 2006 Planning Brief which supported mixed use development of the wider site and land at Oakleigh Road South.

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## Representation No: 625 / 6

Name : Organisation : Comer Group

Policy Policy DM14: New and existing employment space

Chapter:

Paragraph:

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### Reason for Objecting or Supporting?:

Policy DM14 seeks to protect existing employment space, particularly areas designated as a Locally Significant Industrial Site which are identified to the rear of the Development Management Policies document in both a list and map format. However there is a conflict between the designation of sites and other policy aims throughout the Local Development Framework Development Plan Documents.

The North London Business Park is identified as an LSIS and thus subject to the protection of DM14. However this conflicts with Core Strategy emerging policy CS3 which identifies the NLBP as a location for the future distribution of growth and will accommodate up to 400 new residential units, based upon a Planning Brief published a number of years ago. Planning Officers at Barnet have indicated that this Planning Brief is no longer in circulation. We would not recommend it was given such weight throughout the LDF in light of emerging policy in the London Plan and other Barnet DPD's.

We feel that the intention of DM14 to retain all existing employment space, even though the NLBP experiences persistent vacancy despite a marketing campaign for Class B1 purposes, conflicts with CS3 to deliver residential accommodation and an introduction of flexibility to both policies would enable conformity and a better planning outcome. The efficient use of the NLBP delivered through a high-quality, design-led redevelopment would enable the introduction of significant, including affordable, residential accommodation, with the retention and improvement of the existing office provision and the delivery of high-quality public open space. Planning Policy Statement 3 indicates that a site such as the NLBP, whereby there is previously development and currently vacant land, is sequentially preferable for residential development.

---

### If you are Objecting, what changes are you seeking?:

We would recommend increasing the flexibility of DM14 to acknowledge that in exceptional circumstances, for example the introduction of a significantly more efficient land use on site, then the protection of employment space should be relaxed to enable this and conform to other development plan document policies.

---

### Council's response :

The development opportunity associated with the NLBP site are highlighted in the Core Strategy. The site appears on the Key diagram. However this did not generate any comments from Comer Homes until Pre-Submission Amendments. The designation of NLBP through DM14 does not create any conflict with proposals in the Core Strategy for a mixed use development.

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## Representation No: 625 / 7

**Name :**

**Organisation :** Comer Group

**Policy** Policy DM15: Green Belt and open spaces

**Chapter:**

**Paragraph:**

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### **Reason for Objecting or Supporting?:**

Policy DM15 identifies the need for development close to the green belt and metropolitan open spaces “should respect the character of its surroundings and the visual amenity of these areas.”

We support this policy and identify the need for support from other policies both within the Development Management document and other development plan documents. The North London Business Park falls adjacent to an area of metropolitan open land (MOL). Policy DM14 seeks to protect the existing employment space whilst emerging Core Strategy policy CS3 seeks to deliver 400 residential units to the site. Although we feel both policies are unsound as indicated through other representations, it is clear that there will be an element of development at the NLBP; Planning Policy Statement 3 indicates that a site such as the NLBP, whereby there is previously development and currently vacant land, is sequentially preferable for residential development.

In order to support DM15 we would encourage that the Council are receptive to comprehensive masterplans that seek to deliver residential accommodation and improved employment space to the site, incorporating high-quality design, affordable housing and open space. Adopting a comprehensive approach will ensure the highest quality aesthetic is achieved on site which complements the MOL.

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### **If you are Objecting, what changes are you seeking?:**

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### **Council’s response :**

We welcome the support.

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## Representation No: 625 / 8

**Name :**

**Organisation :** Comer Group

**Policy** Policy DM14: New and existing employment space

**Chapter:**

**Paragraph:**

Map 9

### Reason for Objecting or Supporting?:

Map 9 identifies the NLBP as a Locally Significant Industrial Site, as defined by the supporting text to DM14; "Industrial sites and business locations that have been assess as high quality and viable are protected and identified as Locally Significant Industrial Sites, (suitable for Class B2 and B8 uses)..."

The definition of an LSIS is not an accurate description of the North London Business Park, as designated by the Borough and identified within Map 9. The NLBP provides office accommodation, and the lawful use is understood to fall within Class B1 of the Town and Country Planning (Use Classes) Order 1987 (as amended). However due to the LSIS designation and lack of policy direction with regards to the release of this land, there are severe restrictions upon the redevelopment of the site, even though it has experienced persistent vacancy over the last 12 months and presents a highly deliverable redevelopment option whereby enhanced employment space could be offered alongside significant residential accommodation. The Map is therefore unsound as it is not justified.

### If you are Objecting, what changes are you seeking?:

The definition of the LSIS needs to either be updated to reflect the operation of sites falling under the designation or the sites that are currently designated should be reassessed to ensure conformity with the aim of such designations and policy directions.

### Council's response :

See response at 573/5

## Representation No: 626 / 2

**Name :** Mr Glen Rollings

**Organisation :** Greater London Authority - Planning Decisions Unit

**Policy** Policy DM08: Ensuring a variety of sizes of new homes to meet housing need

**Chapter:**

**Paragraph:**

### Reason for Objecting or Supporting?:

The policies on loss of housing have improved: notably there is a restriction on the conversion of houses to flats, which would protect the current stock of family housing. Loss of family housing for community uses has not been directly addressed, although DM08 recognises that these dwellings are the most in needed within the borough ( a priority). References to the provision of play space have been made more explicit within the policy text. This is welcomed.

### If you are Objecting, what changes are you seeking?:

### Council's response :

We welcome this support.

**Representation No: 626 / 3****Name :** Mr Glen Rollings**Organisation :** Greater London Authority - Planning Decisions Unit**Policy** Policy DM14: New and existing employment space**Chapter:****Paragraph:**

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**Reason for Objecting or Supporting?:**

Links between the employment and town centre policies have been strengthened, which is supported on the basis that it would assist employment growth and protection in town centres.

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**If you are Objecting, what changes are you seeking?:**

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**Council's response :**

We welcome this support

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**Representation No: 626 / 4****Name :** Mr Glen Rollings**Organisation :** Greater London Authority - Planning Decisions Unit**Policy** Policy DM05: Tall Buildings**Chapter:****Paragraph:**

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**Reason for Objecting or Supporting?:**

A new tall buildings policy has been incorporated to the document. This sets out restrictions for tall buildings in areas away from those identified by the core strategy as being suitable locations. Additional assessment criteria are set out these suitable areas. The addition of this policy strengthens the Council's approach to the management of tall building applications, and is supported.

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**If you are Objecting, what changes are you seeking?:**

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**Council's response :**

We welcome this support

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**Representation No: 626 / 5****Name :** Mr Glen Rollings**Organisation :** Greater London Authority - Planning Decisions Unit**Policy** Policy DM03: Accessibility and inclusive design**Chapter:****Paragraph:**

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**Reason for Objecting or Supporting?:**

The GLA previously requested that access provisions be strengthened within the text. Barnet Council has added a new accessibility policy and altered other policies within the document, to ensure that accessibility principles are imbued throughout all forms of development. Additionally, lifetime neighbourhood principles have been incorporated within explanatory text of the new policy.

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**If you are Objecting, what changes are you seeking?:**

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**Council's response :**

We welcome this support

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**Representation No: 626 / 6****Name :** Mr Glen Rollings**Organisation :** Greater London Authority - Planning Decisions Unit**Policy** Policy DM16: Biodiversity**Chapter:****Paragraph:**

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**Reason for Objecting or Supporting?:**

The policies on open space and biodiversity have been the subject of relatively minor amendments. With regard to the Mayor's comments at the pre-application stage, many existing playing fields designated as sites of local importance in terms of biodiversity, and measures within other policies such as protection of local and open character, and protection of local open space and Metropolitan Open Land could be sufficient to ensure protection. Likewise, although there is no specific mention of the Blue Ribbon Network, similar protection within the DPD and Core Strategy exists. Nonetheless it could be useful to the Council to consider more specific mentions of the need to protect these elements of the natural environment.

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**If you are Objecting, what changes are you seeking?:**

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**Council's response :**

Cross reference between MOL/Green belt and open space with the designation of Sites of Importance for nature conservation has been made in paragraph 16.3.2

Reference to the Blue Ribbon Network has been added to the definition of green infrastructure and a new paragraph added at 7.1.8 to cross reference with policy in the London Plan. Please see Pre-Submission Amendments to the Development Management Policies DPD.

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## Representation No: 626 / 7

**Name :** Mr Glen Rollings

**Organisation :** Greater London Authority - Planning Decisions Unit

**Policy** Policy DM17: Travel impact and parking standards

**Chapter:**

**Paragraph:**

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### Reason for Objecting or Supporting?:

The changes made do not overcome the concerns, as expressed at the preferred options stage, that the DPD would not be in conformity with the London Plan. Specifically, the Mayor advised that the parking proposals in DPD Policy DM14 Parking Standards and Travel Impact do not conform with draft replacement London Plan Policy 6.13 Parking. The policy as currently worded does not apply maximum residential parking standards as required by the London Plan. Policy 6.13 E (a) states: "the maximum standards set out in Table 6.1 should be used to set standards in Development Plan Documents". Table 6.1 sets out residential parking standards as follows: 4 or more beds - 2-1.5 per unit

3 beds - 1.5-1 per unit

1-2 beds - less than 1 per unit

The Barnet LDF submission draft was amended in May 2011, Policy DM14 Parking Standards and Travel Impact has been replaced by Policy DM17 Travel Impact and Parking Standards. The amended Barnet LDF Policy DM17 now states: 'The Council will expect development to provide parking in accordance with the London Plan standards, except in the case of residential development, where standards will be:

i) 2 or more spaces per unit for detached and semi detached houses (4 or more bedrooms)

ii) 1 or more spaces per unit for terraced houses and flats (1 to 3 bedrooms)

---

### If you are Objecting, what changes are you seeking?:

These changes are contrary to the replacement London Plan maximum standards as set out above. Policy DM17 makes reference to the amended PPG13: Transport (January 2011), which sought to relax maximum parking standards and allow local authorities to apply a more flexible approach to car parking. It should be noted the government did not consult on these changes. The GLA family response to the change and other changes to national policy per se has to date been to uphold the prevalence of the London Plan in providing guidance for development in London. In summary the amendments made by Barnet to Parking policy do not overcome the GLA family position on non conformity with the London Plan.

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### Council's response :

The policy has been revised to reflect the UDP approach. We consider this approach to appropriately reflect circumstances found in Barnet and to be supported by local evidence.

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## Representation No: 627 / 1

**Name :** Mr Robert Newton

**Organisation :** Resident

**Policy** Policy DM01: Protecting Barnet's character and amenity

**Chapter:**

**Paragraph:**

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### **Reason for Objecting or Supporting?:**

The use of the word "should" in sub paragraphs a to g, j and k of Policy DM01 represents a "wish list" not a set of coherent and meaningful planning policies. The use of the word "normally" in sub paragraphs h and i and the words "predominately" and "considered" in sub paragraph i of Policy DM01 excessively weakens the policies for the protection of family housing and the suburbs, when there is adequate room for differences of interpretation in the word "characterised".

---

### **If you are Objecting, what changes are you seeking?:**

Replace the word "should" in sub paragraphs a to g, j and k of Policy DM01 with the words "is/are required to".  
Delete the word "normally" in sub paragraphs h and i and the words "predominately" and "considered" in sub paragraph i of Policy DM01.  
Amend the supporting text in Paragraphs 2.1.1 to 2.10.7 accordingly.

---

### **Council's response :**

Sub-paragraph g needs to retain flexibility as not all proposals will be required to retain private garden amenity space.

There is no 'should' in sub paragraph j.

Sub-paragraph k needs to retain flexibility as not all proposals will be required to safeguard trees.

For sub-paragraphs h and i there will be situations where conversion to flats or loss of a house is considered appropriate. Please see Pre-Submission Amendments to the Development Management Policies DPD.

The word 'considered' has been removed to ensure consistency.

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## Representation No: 627 / 2

Name : Mr Robert Newton

Organisation : Resident

Policy Policy DM02: Development standards

Chapter:

Paragraph:

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### Reason for Objecting or Supporting?:

The use of the words “Where appropriate” and “expected” in Line 1 of Policy DM02 represents a “wish’ not the introduction to a set of coherent and meaningful planning policies.

Residential space standards. At the time of writing these representations, it is not known how the London Mayor will respond to the Examination in Public Panel’s views in relation to Policy 3.5 and the related Table 3.3 of the Draft Replacement London Plan. Additionally, given the amount of residential development proposed in Barnet, adequate locally determined minimum space standards will make an important contribution to the quality of housing provision and overcoming the long term social consequences resulting from small unit sizes that have been provided in the Borough of Barnet.

Policy DM01 should therefore set out the locally determined minimum space standards as detailed in Paragraph 7.2 below, so that this key policy issue is ascertained before reference to a separate Supplementary Planning Document that provides detailed design information. Outdoor amenity space. Given the amount of residential development proposed in Barnet, provision of adequate outdoor amenity provision as detailed in paragraph 7.3 below is a key social requirement whether development takes place in or outside a town centre. Planning applicants must be required to demonstrate how these standards are to be met. Exceptionally, where development is proposed within the Town Centre boundaries shown in the Town Centre Maps in Appendix 2 of the DMP Submission Draft and an applicant considers that they are unable to meet these standards, then full justification will be required, including a feasibility study which will need to address the long-term social implications of providing a lesser amount of outdoor amenity space.

Residential Density Matrix. Given the amount of residential development proposed in Barnet and the comparatively low Public Transport Accessibility Levels (PTALs), the London Mayor’s Density Matrix set out in Table 3.2 of the Draft Replacement London Plan should be adopted as a local development standard in the Borough of Barnet, to which development proposals are required to adhere. Policy DM01 should therefore set out the density standards that are required locally in the London Borough of Barnet as detailed in paragraph 7.4 below.

---

### If you are Objecting, what changes are you seeking?:

In Line 1 of Policy DM02, delete the words “Where appropriate” and replace the word “expected” with the word “required”. Additionally, in line 3, add the word “including” after the words “Supplementary Planning Documents”.

Delete paragraph DM01 6 and replace with:

Residential Space Standards. The following minimum Residential Space Standards will apply to residential development in the Borough:

Minimum dwelling size by floor area

Dwelling type (bedroom/persons)

Essential GIA (sq m)

Flats 2 bedspace - 1b2p50

3 bedspace - 2b3p61

4 bedspace - 2b4p70

4 bedspace - 3b4p74

5 bedspace - 3b5p86

6 bedspace - 3b6p95

5 bedspace - 4b5p90

6 bedspace - 4b6p99

2 storey houses 4 bedspace - 2b4p83

4 bedspace - 3b4p87

5 bedspace - 3b5p96  
 5 bedspace - 4b5p100  
 6 bedspace - 4b6p107  
 3 storey houses 5 bedspace - 3b5p102  
 5 bedspace - 4b5p106  
 6 bedspace - 4b6p113

Planning applicants will be required to demonstrate how these standards are to be met. When an applicant considers that they are unable to meet these standards, then full justification will be required, including a feasibility study which will need to address the long-term social implications of choosing smaller unit sizes.

These standards may be updated from time to time, so planning applicants should confirm with the Council at time of preparing a planning application, whether the standards set out are still valid. Applicants should also refer to the Council's Sustainable Design and Construction Supplementary Planning Document for detailed design considerations including minimum bedroom sizes.

Delete paragraph DM01 7 and replace with:

Outdoor Amenity Space. The following minimum provision of gardens or amenity space will apply to residential development in the Borough:

- For Flats: > 5 square metres of space per habitable room.
- For Houses: > 40 square metres of space for up to four habitable rooms.
- > 55 square metres of space for up to five habitable rooms.
- > 70 square metres of space for up to six habitable rooms.
- > 85 square metres of space for up to seven or more habitable rooms.

Exceptionally, where development is proposed within the Town Centre boundaries shown in the Town Centre Maps in Appendix 2 of the DMP Submission Draft and an applicant considers that they are unable to meet these standards, then full justification will be required, including a feasibility study which will need to address the long-term social implications of providing a lesser amount of outdoor amenity space.

Insert new paragraph DM01 10 as follows:

Residential Density Matrix. Residential development in the London Borough of Barnet is required to conform to the density Matrix below:

Density matrix (habitable rooms and dwellings per hectare)

Setting Public Transport Accessibility Level (PTAL)

0 to 12 to 34 to 6

Suburban 150–200 hr/ha 150–250 hr/ha 200–350 hr/ha

3.8–4.6 hr/unit 35–55 u/ha 35–65 u/ha 45–90 u/ha

3.1–3.7 hr/unit 40–65 u/ha 40–80 u/ha 55–115 u/ha

2.7–3.0 hr/unit 50–75 u/ha 50–95 u/ha 70–130 u/ha

Urban 150–250 hr/ha 200–450 hr/ha 200–700 hr/ha

3.8–4.6 hr/unit 35–65 u/ha 45–120 u/ha 45–185 u/ha

3.1–3.7 hr/unit 40–80 u/ha 55–145 u/ha 55–225 u/ha

2.7–3.0 hr/unit 50–95 u/ha 70–170 u/ha 70–260 u/ha

Central 150–300 hr/ha 300–650 hr/ha 650–1100 hr/ha

3.8–4.6 hr/unit 35–80 u/ha 65–170 u/ha 140–290 u/ha

3.1–3.7 hr/unit 40–100 u/ha 80–210 u/ha 175–355 u/ha

2.7–3.0 hr/unit 50–110 u/ha 100–240 u/ha 215–405 u/ha

Amend the supporting text in Paragraphs 3.1.1 to 3.11.2 accordingly.



**Council's response :**

Including the words 'where appropriate' is accurate as not all development will need to comply with every development standard. The London Plan has now been adopted and the minimum floorspace standards set out at Table 3.3 can be applied Londonwide. We have set out in section 3.7 that the application of these standards in Barnet will be contained in Sustainable Design and Construction SPD.

We have also set out in section 3.8 Outdoor Amenity Space that standards will be set out in the Sustainable Design and Construction SPD. This document is currently being revised.

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**Representation No: 627 / 3****Name :** Mr Robert Newton**Organisation :** Resident**Policy** Policy DM03: Accessibility and inclusive design**Chapter:****Paragraph:**

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**Reason for Objecting or Supporting?:**

The use of the word "should" in line 1 of Policy DM03 represents a "wish" not an indication of a coherent and meaningful planning policy.

---

**If you are Objecting, what changes are you seeking?:**

In Line 1 of Policy DM03 delete the word "should" and replace with the words "are to".

---

**Council's response :**

We feel that the word 'should' is the right word to use in this instance.

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## Representation No: 627 / 4

Name : Mr Robert Newton

Organisation : Resident

Policy Policy DM04: Environmental considerations for development

Chapter:

Paragraph:

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### Reason for Objecting or Supporting?:

The use of the words “should”, normally’ and “expected” in Policy DM04 do not contribute to a set of coherent and meaningful planning policies. Amendments are detailed in paragraph 7 below.

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### If you are Objecting, what changes are you seeking?:

In Line 1 of Policy DM04c delete the word “should” and replace with the words “are to”.  
In Line 2 and line 4 of Policy DM04d delete the word “normally” and in line 5 delete the word “expected” and replace with the word “required”.  
In Line 1 of Policy DM04e delete the word “should” and replace with the words “are to”.  
In Line 1 of Policy DM04e delete the word “should” and replace with the words “are to”.  
In Line 1 of Policy DM04g delete the word “should” and replace with the words “is to”.  
In Line 3 of Policy DM04h delete the word “expected” and replace with the word “required”.

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### Council’s response :

We feel that the word 'should' and 'expected' are the right words to use in these instances

DM04d The use of the word 'normally' and 'where appropriate' allows development where suitable mitigation is provided.

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## Representation No: 627 / 5

Name : Mr Robert Newton

Organisation : Resident

Policy Policy DM05: Tall Buildings

Chapter:

Paragraph:

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### Reason for Objecting or Supporting?:

The use of the words “need to” in line 2 of Policy DM05 do not contribute to a coherent and meaningful planning policy. An amendment is detailed in paragraph below. Tall Buildings Study of the London Borough of Barnet (Final report – November 2010) highlighted the problem of tall buildings creating a wind tunnel effect at street level and Policy DM05 should address this issue by the addition of the words detailed in paragraph below.

---

### If you are Objecting, what changes are you seeking?:

In Line 2 of Policy DM05 delete the word “need” and replace with the words “ be required”.  
After sub paragraph iv of Policy DM05, insert a new sub paragraph v as follows:  
v that there will be no “wind tunnel” effect created by the development.  
Amend the supporting text in Paragraphs 6.1.1 to 6.1.7 accordingly.

---

### Council's response :

We consider that the words 'need to' are adequate.

An additional clause has been added which refers to microclimatic effects. The supporting text in 6.1.6 has been amended to reflect this. Please see Pre-Submission Amendments to the Development Management Policies DPD.

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## Representation No: 627 / 6

**Name :** Mr Robert Newton

**Organisation :** Resident

**Policy** Policy DM06: Barnet's heritage and conservation

**Chapter:**

**Paragraph:**

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### **Reason for Objecting or Supporting?:**

The use of the word "should" in line 1 of Policy DM06 represents a "wish" not an indication of a coherent and meaningful planning policy.

The Hendon and District Archaeological Society (HADAS) and the Finchley Society may wish to comment on whether there should be requirements specific to the London borough of Barnet in addition to the principles set out in PPS5.

---

### **If you are Objecting, what changes are you seeking?:**

In Line 1 of Policy DM06c delete the word "should" and replace with the words "are to".

Policy DM06c - The Hendon and District Archaeological Society (HADAS) and the Finchley Society may wish to comment on whether there should be requirements specific to the London borough of Barnet in addition to the principles set out in PPS5.

Amend the supporting text in Paragraphs 7.1.1 to 7.4.6 accordingly.

---

### **Council's response :**

We feel that the word 'should' is the right word to use in this instance.

---

## Representation No: 627 / 7

**Name :** Mr Robert Newton

**Organisation :** Resident

**Policy** Policy DM07: Protecting housing in Barnet

**Chapter:**

**Paragraph:**

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### Reason for Objecting or Supporting?:

The first line of Policy DM07 requires clarification and should therefore be reworded as detailed in paragraph below.

A local facility should also include voluntary organisations such as Scouts Groups and Policy DM07 a should be amended as detailed in paragraph below.

---

### If you are Objecting, what changes are you seeking?:

Reword the whole of line 1 of Policy DM07 to read "Planning applications that would result in the loss of residential accommodation will not be granted planning permission unless:"

In Policy DM07a, after the words "children's nursery" add the words "voluntary organization,".

Amend the supporting text in Paragraphs 8.1.1 to 8.1.4 accordingly.

---

### Council's response :

The policy is clear and succinct . We do not consider that the propsoed revision to line 1 contributes to its purpose.

Identifying voluntary organisations as an exception is too broad and goes beyond the intention of the policy which is to help specific community facilities.

---

## Representation No: 627 / 8

**Name :** Mr Robert Newton

**Organisation :** Resident

**Policy** Policy DM08: Ensuring a variety of sizes of new homes to meet housing need

**Chapter:**

**Paragraph:**

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### Reason for Objecting or Supporting?:

The use of the word "should" in line 1 of Policy DM08 represents a "wish' not an indication of a coherent and meaningful planning policy. The words "where appropriate" in line 1 provide sufficient flexibility.

---

### If you are Objecting, what changes are you seeking?:

In Line 1 of Policy DM08 delete the word "should" and replace with the words "is to".

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### Council's response :

We feel that the word 'should' is the right word in this instance.

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**Representation No: 627 / 9**

**Name :** Mr Robert Newton

**Organisation :** Resident

**Policy** Policy DM09: Specialist housing

**Chapter:**

**Paragraph:**

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**Reason for Objecting or Supporting?:**

The use of the words “will seek” in line 1 of Policy DM09a is not an indication of a coherent and meaningful planning policy.

The use of the word “expects” in line 1 of Policy DM09b is not an indication of a coherent and meaningful planning policy.

The use of the word “should” in line 1 of Policy DM09c is not an indication of a coherent and meaningful planning policy.

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**If you are Objecting, what changes are you seeking?:**

In Line 1 of Policy DM09a delete the word “seek” and replace with the words “require applicants”.

In Line 1 of Policy DM09b delete the word “expects” and replace with the word “requires”.

In Line 1 of Policy DM09c delete the word “should” and replace with the words “are to”.

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**Council’s response :**

We feel that the words 'expect' 'should' and 'seek' are the right words in this instance.

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## Representation No: 627 / 10

Name : Mr Robert Newton

Organisation : Resident

Policy Policy DM11: Development principles for Barnet's town centres

Chapter:

Paragraph:

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### Reason for Objecting or Supporting?:

The use of the word “expect” in line 1 of Policy DM11 is not an indication of a coherent and meaningful planning policy and should be amended as detailed in 7.1 below. The words “a suitable mix of appropriate uses” in line 1 provides sufficient flexibility.

In line with Strand 2 of the Three Strands Approach Policy referred to in Paragraph 2.2 of the Core Strategy Submission Stage DPD, the London Borough of Barnet local definition of edge of centre should be limited to ‘being within 150 metres of primary centre frontage of the Town centres as identified in the Town Centre Maps in Appendix 3 but excluding any suburban housing properties’.

Proportion of Retail Uses (paragraph 12.7.5). The inclusion of vacant units irrespective of their most recent use in the calculation of the proportions of retail and non-retail uses, distorts the calculation in favour of non-retail uses. If this is the most pragmatic form of measurement, then the required retail percentages should be increased to 85% for primary frontages and 75% for secondary frontages.

To justify a change from retail use envisaged in policy DM11biii, the site should be both actively and effectively marketed.

The use of the word “expected” in Policy DM11biv and v and Policy DM11c2 and the word “should” in Policy DM11c1 is not an indication of a coherent and meaningful planning policy and should be amended as detailed in 7.5 below.

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### If you are Objecting, what changes are you seeking?:

In Line 1 of Policy DM11 delete the word “expect” and replace with the word “requires”.

Delete the last sentence of Policy DM11ai that starts “Edge of centre...” and replace with the words “Edge of Town Centre (defined as being within 150 metres of primary centre frontage of the Town Centres as identified in the Town Centre Maps in Appendix 3 but excluding any suburban housing properties) proposals will not normally be appropriate and therefore will be required to demonstrate why they are not locating in a Town Centre site”, and,

Replace the wording of Policy DM11aii with the words “The Town Centre boundaries, primary and secondary retail frontages are detailed in Appendix 2 (Primary and Secondary Frontages) and Appendix 3 (Town Centre Maps).

In line 2 of policy DM11bi delete “75%” and replace with “85%” and in line 2 of Policy DM11bii delete “65%” and replace with “75%”.

In line 3 of Policy DM11biii after the word “marketed” add the words “actively and”.

In line 1 of Policy DM11biv, line 1 of Policy DM11bv and line 1 of Policy DM11c2, replace the word “expected” with the word “required”. In line 1 of Policy DM11c1, replace the word “should” with the words “is required to”.

Amend the supporting text in Paragraphs 12.1.1 to 12.8.3 accordingly.

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### Council’s response :

We feel that the word 'expect' and 'should' are the right words to use in this instance.

Reference to the maps and appendices have been amended. Please see Pre-Submission Amendments to the Development Management Policies DPD.

The definition of edge of centre is set out in the supporting text and not appropriate detail to put into the policy.

The inclusion of vacant units with the total A1 units does not distort the result. The presumption would be that these would be reprovided as A1 units. We consider that raising the percentages would reduce the overall viability of town centres as it reduces the mix of uses needed to support their vitality.

Effective marketing has been defined as continuous active marketing at an appropriate level both for rent and sale which has been agreed in advance with the Council and no

interest expressed in its existing use or other community facility uses for a period of 12 months.

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## **Representation No: 627 / 11**

**Name :** Mr Robert Newton

**Organisation :** Resident

**Policy** Policy DM12: Maintaining our local centres and  
parades

**Chapter:**

**Paragraph:**

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### **Reason for Objecting or Supporting?:**

To justify a change from A1 use envisaged in policy DM12iv, the site should be both actively and effectively marketed.

The use of the word “expected” in line 12 of Policy DM12 and “should” in line 14 is not an indication of a coherent and meaningful planning policy and should be amended as detailed in 7.1 below.

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### **If you are Objecting, what changes are you seeking?:**

In line 2 of Policy DM12iv, after the word “marketed” add the words “actively and”.

In Line 12 of Policy DM12 delete the word “expected” and replace with the word “required” and in line 14 replace the word “should” with the word “must”.

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### **Council’s response :**

We feel that the word 'expect' and 'should' are the right words to use in this instance.

Effective marketing has been defined as continuous active marketing at an appropriate level both for rent and sale which has been agreed in advance with the Council and no interest expressed in its existing use or other community facility uses for a period of 12 months.

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## Representation No: 627 / 12

Name : Mr Robert Newton

Organisation : Resident

Policy Policy DM14: New and existing employment space

Chapter:

Paragraph:

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### Reason for Objecting or Supporting?:

In Policy DM14ai reference to the Proposals Map is understood to refer to the “Locally Significant Industrial Sites and Business Locations” detailed in Appendix 5. However, Appendix 5 does not include several of the locations identified in Table 10.2 on page 154 of the Adopted LB Barnet Unitary Development Plan (2006) and this should be rectified.

To justify a change from Class B envisaged in policy DM14aii, the site should be both actively and effectively marketed.

The use of the word “expected” in line 1 of Policy DM14av, Policy DM14bii and Policy DM14bii and “should” in line 1 of Policy DM14bi is not an indication of a coherent and meaningful planning policy and should be amended as detailed in below.

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### If you are Objecting, what changes are you seeking?:

In lines 2 and 3 of Policy DM14a, delete the words “on the Proposals Map” and replace with the words “in Appendix 5” and amend Appendix 5 to include the locations identified in Table 10.2 on page 154 of the Adopted LB Barnet Unitary Development Plan (2006).

In line 4 of Policy DM14ii, after the word “active” add the words “and effective”.

In line 1 of Policy DM14av, Policy DM14bii and Policy DM14bii replace the word “expected” with the word “required”. In line 1 of Policy DM14bi, replace the word “should” with the words “are required to”.

Amend the supporting text in Paragraphs 15.1.1 to 15.2.9 accordingly.

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### Council’s response :

The proposals map will be updated in due course and it is more appropriate to reference the appendix in the supporting text.

The locations identified in the UDP were assessed as part of the Employment Land Survey and some of them were not deemed worthy of continued protection as designated employment sites.

Effective marketing has been defined as continuous active marketing at an appropriate level both for rent and sale which has been agreed in advance with the Council and no interest expressed in its existing use or other community facility uses for a period of 12 months.

We feel that the word 'expect' and 'should' are the right words to use in this instance.

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## Representation No: 627 / 13

**Name :** Mr Robert Newton

**Organisation :** Resident

**Policy** Policy DM15: Green Belt and open spaces

**Chapter:**

**Paragraph:**

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### **Reason for Objecting or Supporting?:**

Paragraph 2.2 of the Core Strategy Submission Stage DPD refers to the Three Strands Approach Policy and advises that Strand 1 provides for: "Absolute Protection of Green Belt, Metropolitan Open Land and other valued open space from inappropriate development". but Policies DM15a2 and DM15b1 are incompatible with this because they envisage exceptions from "absolute protection" in "very special circumstances" and "exceptional circumstances" respectively. The amendments detailed in Paragraph below would rectify this.  
The use of the word "expect" in line 2 of Policy DM15b2 is not an indication of a coherent and meaningful planning policy and should be amended as detailed below.

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### **If you are Objecting, what changes are you seeking?:**

In line 1 of Policy DM15a2, delete the words "Except in very special circumstances" and in line 1 of Policy DM15b1, delete the words "In exceptional circumstances...." to the end of the Policy that Policy DM15b1 reads: "Open space will be protected from development".  
In line 2 of Policy DM15b2, replace the word "expect" with the word "require".  
Amend the supporting text in Paragraphs 16.1.1 to 16.3.9 accordingly.

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### **Council's response :**

The policy is in line with the approach set out in PPG2: Green Belt which sets out the basis for when very special circumstances apply for inappropriate development.

We feel that the word 'expect' is the right words to use in this instance.

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## Representation No: 627 / 14

**Name :** Mr Robert Newton

**Organisation :** Resident

**Policy** Policy DM16: Biodiversity

**Chapter:**

**Paragraph:**

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### **Reason for Objecting or Supporting?:**

The use of the word “seek” in line 2 of Policy DM16a is not an indication of a coherent and meaningful planning policy and should be amended as detailed in below. The words “where appropriate” in line 1 provides sufficient flexibility.

The use of the word “expect” in line 2 of Policy DM16b is not an indication of a coherent and meaningful planning policy and should be amended as detailed below

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### **If you are Objecting, what changes are you seeking?:**

In Line 2 of Policy DM16a, delete the word “seek” and replace with the word “require”.

In Line 2 of Policy DM16b delete the word “expect” and replace with the word “require”.

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### **Council’s response :**

We feel that the words 'seek' and 'expect' are the right words to use in these instances.

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## Representation No: 627 / 15

Name : Mr Robert Newton

Organisation : Resident

Policy Policy DM17: Travel impact and parking standards

Chapter:

Paragraph:

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### Reason for Objecting or Supporting?:

The use of the words “seek to” in line 1 of Policy DM17, “expect” in line 1 of Policy DM17c, “should” in line 5 of Policy DM17d, “require” in line 1 of policy DM17fii “expect” in Policy DM17g1 are not an indication of coherent and meaningful planning policies and should be amended as detailed below  
Amend Policy 17g2 as detailed below.

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### If you are Objecting, what changes are you seeking?:

Policy DM17 should be amended as follows:

In line 1 of Policy DM17b, delete the words “seek to”.

In line 1 of Policy DM17c, delete the word “expect” and replace with the word “require”.

In line 5 of Policy DM17d, delete the word “should” and replace with the words “is to”.

In line 1 of Policy DM17fi, insert after the words “located and” the words “are required to be”.

In line 1 of Policy DM17fii, delete the word “expect” and replace with the word “require”.

In line 1 of Policy DM17g1i, delete the word “expect” and replace with the word “require”.

Policy DM17 should be further amended as follows:

In line 1 of Policy DM17g1i, delete the words “detached and semi-detached”.

In line 1 of Policy DM17g1ii delete the word “terraced”.

Delete Policy DM17g2i and amend Policy 17g2ii to read

“ In cases where the applicant is willing to enter into a legal agreement which restricts future occupants from obtaining on street parking permits in an existing or any future controlled parking zone (CPZ)”.

Amend the supporting text in Paragraphs 18.1.1 to 18.8.6 accordingly.

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### Council's response :

We feel that the words 'seek' and 'expect' are the right words to use in these instances.

We feel that retaining the descriptions of the unit sizes in policy DM17g1 helps with clarity.

The proposed revised wording for the policy DM17g2 does not deliver the policy aim which is to permit car free development where suitable. This is primarily dependent on ensuring capacity is available in the wider areas which may be beyond a CPZ boundary in some cases.

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## Representation No: 628 / 1

**Name :** Miss Debbie Horner

**Organisation :** Environment Agency - North East Thames Area

**Policy** Policy DM04: Environmental considerations for development

**Chapter:**

**Paragraph:** 5.3 and 5.6.1

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### Reason for Objecting or Supporting?:

Thank you for your recent consultation. We support your document. We are pleased to see that our comments relating to

- surface water runoff, and
- river corridors and habitat enhancement from the previous round of consultation have been considered and incorporated into your submission draft document. These are important elements to be considered as part of future development in the London Borough of Barnet.

Section 5.3 refers to the retro fitting of decentralised energy schemes in new or refurbished developments. Water efficiency measures can also be retro fitted in a similar way and this would contribute towards the London Plans goal of 105 litres per person per day. It would be pertinent to mention this in this section.

Section 5.61 refers to the need for developers to carry out site investigations for development sites with potentially contaminated land. It would be appropriate to mention here the requirement for a Preliminary Risk Assessment to help determine the potential for contamination at a development site prior to the submission of a full site investigation.

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### If you are Objecting, what changes are you seeking?:

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#### Council's response :

A reference to retro fitting water efficiency has been added.

A reference to Preliminary Risk Assessment has been added. Please see Pre-Submission Amendments to the Development Management Policies DPD.

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## Representation No: 629 / 1

<b>Name :</b>	<b>Organisation :</b> London Fire & Emergency Planning Authority (LEFPA)
<b>Policy</b> Policy DM13: Community and education space	<b>Chapter:</b> <b>Paragraph:</b> 14.1.8-14.1.10

### Reason for Objecting or Supporting?:

If any fire stations are declared surplus to operational requirements, it is not appropriate for the LFEPA to be bound by such restrictions regarding use, i.e. limited to community facilities, in any possible future disposal of their sites. This is with particular regard to Finchley Fire Station, where LB Barnet have already been notified of the potential requirement to relocate.

### If you are Objecting, what changes are you seeking?:

The words "with the exception of fire station sites, which will not be subject to such restrictions on use" should be inserted into the paragraphs.

### Council's response :

In line with the policy approach change of use is permitted provided evidence is provided which demonstrates that there is no demand for that use and it has been marketed appropriately.

## Representation No: 630 / 1

<b>Name :</b> Mr Graham Saunders	<b>Organisation :</b> English Heritage
<b>Policy</b> Policy DM01: Protecting Barnet's character and amenity	<b>Chapter:</b> <b>Paragraph:</b>

### Reason for Objecting or Supporting?:

We would advise that the definition of a tall buildings is further clarified so that it align more with that of the EH/CABE Guidance on Tall Buildings and the emerging Replacement London Plan (Policy 7.7). EH/CABE Guidance defines tall buildings as those that are substantially taller than their neighbours and/or have which significantly change the skyline. This definition is closely mirrored in the London Plan (Consolidated Draft Replacement London Plan – December 2010, paragraph 7.20).

### If you are Objecting, what changes are you seeking?:

### Council's response :

To reiterate the response made to the Core Strategy pre submission amendments representations our Tall Buildings Study is a companion piece to the Barnet Characterisation Study. It recognises that the concept of a tall building is relative to context and the Characterisation Study provides that context. Buildings of 8 storeys and above take on the attribute of a tall building in Barnet and therefore creates a definition.

## Representation No: 630 / 2

**Name :** Mr Graham Saunders

**Organisation :** English Heritage

**Policy** Policy DM06: Barnet's heritage and conservation

**Chapter:**

**Paragraph:**

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### Reason for Objecting or Supporting?:

Archaeological heritage - Please find attached to this letter via the email and updated list of Local Areas of Special Archaeological Significance both in terms of descriptions and mapping. This updated information should be included in the Development Management Document and reflected elsewhere in the LDF (i.e. Proposals Map). The revised number of LASAS should be reflected in table 7.2 and the supporting text.

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### If you are Objecting, what changes are you seeking?:

It is noted in the supporting text that reference is made to the Hendon and District Archaeological Society (HADAS) as the principal consultee on archaeological matters. This should be changed to English Heritage (via the Greater London Advisory Archaeological Service – GLAAS) as the principal advisor and consultee on archaeological matters.

Finally, we would advise that amendments are made to the second line of the final paragraph of the supporting text. It should read as follows:

Where this is not possible mitigation which may include excavation, analysis of remains and public dissemination of results will be expected by an archaeological organisation with approval from the Council and English Heritage before development commences.

Policy DM06 - Further clarity is needed to ensure that the policy wording is sufficiently robust.

In part c of the policy the reference to the list of heritage assets identified should be corrected to table 7.2 and not table 5.1.

Mindful of the expected changes in national policy with the PPS's being replaced with the National Planning Policy Framework, the principles set out PPS5 policies HE6 to HE12 need to be reflected more fully in the Development Management Document. For example a way forward could be to express these principles in the following way:

Proposals affecting any Heritage Asset in Barnet will be expected to:-

- i. enhance or better reveal the significance of the Asset or its setting; and
- ii. demonstrate an understanding of the significance of that Asset or its setting.

As a minimum this should be through reference to the Greater London Historic Environment Record (GLHER) or by a desk top analysis and reference to other documentation such as:-

- Map regression (changes to historic maps over time);
- Barnet Characterisation Study (September 2010);
- Conservation Area Appraisal and Management Plans;
- Barnet's List of Local Heritage Assets; and
- Any other research source to the Heritage Asset affected.

iii. describe the significance of the Heritage Asset in sufficient detail to determine its historic, archaeological, architectural or artistic interest to a level proportionate to its importance;

iv. justify any damage to an asset and demonstrate the overriding public benefits which would outweigh the damage to the asset or its setting. The greater the damage to the significance of the asset, the greater the justification and public benefit that will be required before the application will gain support; and

v. identify opportunities to mitigate or adapt to climate change and secure sustainable development through the re-use or adaption of Heritage Assets, to minimise the consumption of building materials and energy and the generation of construction waste. Where, as a result of implementing a consent, a new Heritage Asset is discovered, or the significance of an existing asset is amplified in a way that could not reasonably have been foreseen at the application stage, the developer will be expected to work with the Council to seek a solution that protects the significance of the new discovery, so far as is practical, within the existing scheme. Depending on the importance of the discovery, modifications to the scheme being implemented may be required.

The suggested policy wording above also has the advantage of incorporating a robust reference to climate change issues, covers all heritage assets and explicitly link the need for proposals to consider Barnet's Characterisation Study as part assessing the historic context. We would suggest that this form of policy would reflect fully PPS5 and provide robust framework in which to ensure the historic environment Barnet is appropriately protected and enhanced.

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**Council's response :**

We are discussing amendments to the boundaries of some of the Areas of Special Archaeological Significance. Once these are agreed with GLAAS and HADAS, if the Inspector is minded to, we propose to introduce them and amend the proposals map to ensure it is up to date.

The changes relating to the Greater London Archaeological Advisory Service and HADAS have been made.

The amendments to paragraph 7.4.6 have also been made.

The correction to the table reference in the policy has been made. Please see Pre-Submission Amendments to the Development Management Policies DPD.

The approach to national planning policy is subject to consultation. Until it is adopted we do not feel it is appropriate to add detail in the DPD which repeats much of the content of PPS5.

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**Representation No: 631 / 1**

**Name :** Mr David Howard

**Organisation :** Federation of Residents Associations in Barnet (FORAB)

**Policy**

**Chapter:**

**Paragraph:**

General

**Reason for Objecting or Supporting?:**

FORAB agrees with and supports the comments made by the Finchley Society in their email dated 22:32; 6th June 2011 and 8:20 ; 10th June 2011.

We wish to participate in the oral examination for the following :-

DM01 Protecting Barnet's character and amenity

DM02 development Standards

DM04 Environmental considerations

DM05 Tall Buildings

DM08 Variety of Sizes of New Homes

DM09 Specialist Housing

DM11 Development Principles in the Town Centres

DM 15 Green Belt and Open Spaces

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**If you are Objecting, what changes are you seeking?:**

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**Council's response :**

Please see responses to Finchley Society comments

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## Representation No: 632 / 1

**Name :** Rebecca Burnhams

**Organisation :** Universities Superannuation Scheme Ltd (USS)

**Policy** Policy DM14: New and existing employment space

**Chapter:**

**Paragraph:**

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### **Reason for Objecting or Supporting?:**

USS notes that further amendments have been made to Policy DM14: New and existing employment space since the previous consultation draft. These changes have resulted in reduced flexibility when considering alternative uses at employment sites.

Whilst USS remains in support of the principle of safeguarding existing employment space, USS considers that allowing a range of employment generating uses in such locations are important in maintaining and promoting a successful and sustainable economy. The alterations to the policy reduce this flexibility and therefore go against these principles.

In line with the previous comments submitted, USS urges the Council to consider alternative uses to ensure employment locations can deliver the highest number of jobs and enhance the economy. For example, if there is a valid viability argument, or if the site could be considered suitable for alternative uses, the site could be meaningfully used to stimulate the economy. This flexibility should be built into policies of the LDF.

There is little merit in employment sites remaining vacant for long periods of time, as this is only to the detriment of an area and to the economy. By ensuring the LDF controls suitable and flexible controls to allow the use of these areas for other employment generating uses, significant gains can be secured.

USS notes that its commercial property at Finchley Industrial Centre is designated as a Locally Significant Industrial Site or Business Location and that a change of use from employment space would not be permitted. In addition, it is noted that proposals to redevelop or reuse an existing employment space which reduces the levels of employment use and impacts negatively on the local economy will be resisted.

Whilst USS recognises the need to ensure levels of employment do not decrease, it considers that a wide range of employment uses across use classes are all able to contribute to the success of the local economy.

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### **If you are Objecting, what changes are you seeking?:**

On this basis, USS urges the Council to include more flexibility in the document to allow for a range of employment uses and supporting services at these sites, when justified and appropriate to ensure that employment within the borough can be maximised.

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### **Council's response :**

The Finchley Industrial Estate was assessed as part of the Employment Land Survey and it scored well across all categories so is being retained as a Locally Significant Industrial Location. The site would be open to uses across the B1, B2 and B8 categories which should provide flexibility for continued employment use.

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