

**LONDON BOROUGH OF
BARNET
EXAMINATION IN PUBLIC
WRITTEN STATEMENT**

**SESSION FOUR: BUSINESS AND
EMPLOYMENT GROWTH, DECEMBER
7TH 2011**

**COMER GROUP (CORE STRATEGY
REFERENCE 569, DEVELOPMENT
MANAGEMENT REFERENCE 625)**

**DANIEL WATNEY LLP
CHARTERED SURVEYORS**

Established 1859

25 HOSIER LANE

LONDON EC1A 9DW

☎ 020 7246 5000

📠 020 7248 7001

www.danielwatney.co.uk

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1. INTRODUCTION

- 1.1 This Written Statement has been prepared by Mr Charles Mills, Daniel Watney LLP on behalf of the Comer Group (Core Strategy Representations Personal Reference Number 569. Development Management Representations Personal Reference Number 625).
- 1.2 This Written Statement has been prepared in accordance with the guidelines outlined by the Inspector Mr Vincent Maher in his guidance note of the 25th October 2011. This written statement will address the Council's response to representations submitted on behalf of the Comer Group in June 2011 as part of the pre-submission consultation and the relevant issues scheduled for discussion during Session Four: Business and Employment Growth:
- “Do the two plans provide a policy framework that will encourage employment growth? Should the plans demonstrate greater flexibility in the use of vacant employment and business land? Should other uses be encouraged on business and employment land if they generate employment or deliver other local benefits such as housing?
 - Does the land use designation for the North London Business Park reflect London Plan policy?
- 1.3 This Written Statement will outline how we consider parts of the Core Strategy and Development Management Policies Development Plan Documents to be unsound according to the soundness test(s) and guidance at outlined in paragraphs 4.51 – 4.52 within Planning Policy Statement 12. As requested by the Inspector, we will seek to concisely address the following:
- The part of the document which is unsound;
 - The soundness test(s), as set out in PPS12, it fails, and;
 - The way in which it fails.
- 1.4 We will then outline how we consider the document could be made sound and recommend precise wording where we consider this sufficient.

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2. ENHANCING FLEXIBILITY AND ENCOURAGING ALTERNATIVE USES

- 2.1 We consider that the two plans should demonstrate greater flexibility in the use of vacant or under-used industrial and business space. At present Policy DM14 adopts an overly restrictive approach to the release of industrial and business land which we consider has the potential to limit employment growth whilst reducing the ability to deliver other local benefits, such as high quality housing and community facilities.
- 2.2 Table 15.1 within the Development Management Policies document outlines the national (PPS4) and regional (via the London Plan) approach to the employment space; Policy 2.17 of the 2011 London Plan requires Boroughs to promote, manage and, where appropriate, protect strategic industrial locations (SILs). Policy 4.4 identifies the role of Boroughs to plan, monitor and manage the release of surplus industrial land with Barnet identified as suitable for limited release.
- 2.3 LB Barnet has designated certain areas as a Locally Significant Industrial Site (LSIS) or an Industrial Business Location (IBL), for which, under Policy DM14, any redevelopment to a non B Class use will not be permitted. This is in conflict with the advice of PPS4 and the 2011 London Plan that requires Boroughs to manage the release of land, as the Council would only consider the release of employment land that is not subject to an existing designation. We therefore consider that Policy DM14 and the supporting text is unsound as it is unjustified and ineffective, being inflexible and therefore not deliverable.
- 2.4 As no method for de-designation or the re-assessment of a designation is provided, this has the potential restrict the supply of deliverable development sites over the lifetime of the plan, which PPS12 recommends should extend to fifteen years. It is unrealistic to assume that the sites currently subject to LSIS or IBL designation will continue to be most effectively occupied by an industrial or business use for the lifetime of the plan. By not identifying any process for de-designation or re-assessment, 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). This could be exacerbated by Barnet Council’s intention to concentrate employment activity within the Brent Cross Cricklewood redevelopment area, as it could attract potential and existing occupier interest within Barnet away from other employment areas leaving them vacant and underutilised.

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- 2.5 Whilst we recognise the value in protecting important areas of industrial and business capacity, 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 potentially released wholly or in part to enable optimisation of development sites in the event of no longer being able to operate viably and becoming economically obsolete. Re-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 and would provide opportunities for the land available to be optimised over the plan period.

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3. DEFINITION OF NORTH LONDON BUSINESS PARK

- 3.1 We consider that the definition of the North London Business Park is incorrect and does not reflect adopted London Plan policy. The implications of such a restrictive approach to designated industrial or business space, as previously discussed, are even more significant when a site is incorrectly defined.
- 3.2 The North London Business Park is designated within the Core Strategy and Development Management Development Plan Documents as a Locally Significant Industrial Site (LSIS). The supporting text to Policy 4.4 of the 2011 London Plan recommends that *‘To justify strategic recognition and protection, locally significant industrial sites must be designated on the basis of robust evidence demonstrating their particular importance for local industrial type functions.’*
- 3.3 Firstly we do not consider that it could be demonstrated that the NLBP is of particular importance for local industrial type functions. The NLBP has experienced a persistently high level of vacancy for almost eighteen months, following the departure of Barnet College who had temporarily occupied a number of buildings for five years prior to July 2010. This vacancy has persisted despite an intensive marketing campaign for Class B1 uses. Further to this, supporting paragraph 15.2.2 to Policy DM14 describes LSIS as *‘suitable for Class B2 and B8 uses’*. This definition does not accurately describe the uses that the NLBP has previously accommodated, nor does it provide the type of space that would adequately serve Class B2 and B8 users. The most recent occupiers include Barnet Council, whose use of the accommodation would fall within Class B1, and Barnet College, who operated under a temporary Class D1 planning permission. During the marketing period any interest has been from occupiers seeking Class B1 and Class D1 accommodation.
- 3.4 The LB Barnet ‘LSIS’ designation of the NLBP also conflicts with advice within the 2011 London Plan. Policy 2.17 of the 2011 London Plan identifies the NLBP as an ‘Industrial Business Park’. The supporting text to Policy 2.17 describes an IBP as particularly suitable for activities including research and development, light industrial and high value general industrial, some waste management, utility and transport functions, wholesale markets and small scale distribution. IBPs, alongside Preferred Industrial Locations (PIL), collectively comprise the Mayor’s Strategic Industrial Locations (SIL) which are managed through guidance within Policy 2.17. The designation within Barnet’s Development Plan of the NLBP as an LSIS therefore conflicts with advice within the 2011 London Plan which identifies LSIS as a different ‘type’ of location to a Strategic Industrial Location or ‘other industrial site’.

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- 3.5 We consider that the designation of the NLBP needs to be reassessed to either bring it into conformity with the 2011 London Plan designation or to reflect the nature of the use that the existing buildings would support. More importantly, we consider that prior to designation, the actual potential, based upon quantifiable levels of demand for the vacant space and in consideration of the persistent vacancy, of the NLBP fulfilling any designation as an industrial or business area needs to be assessed and alternative, higher value, socially beneficial uses of the site, for example to provide residential accommodation, properly considered.