



**Main Modifications
Local Plan**

Representations Form

Ref:

(For official use
only)

PART B - Your representation

Please complete a separate Part B for each representation and return along with a single completed Part A.

Question 1: To which Main Modification does your representation relate?

Representations must be made on a specific Main Modification (MM) or Policies Map change

MM Number 116 Policy _____ Paragraph _____

Figure/Table _____ Policies Map change _____

Question 2: Do you consider that the Main Modification is:

Tick all that apply, please refer to the guidance note for an explanation of these terms.

- a) Legally compliant **No**
- b) Sound **No**
- c) Compliant with the Duty to Co-operate **No**

Question 3: Please give details of why you consider the Main Modifications is not legally compliant, is unsound, or fails to comply with the duty to co-operate.

Please be as precise as possible. If you wish to support the legal compliance or soundness of the Plan, or its compliance with the duty to co-operate, please also use this box to set out your comments.

MM – 115

Site 34: Burroughs Gardens Car Park (Middlesex University and The Burroughs)

I refer to the specific modifications below:

- Changes to the approach to the historic environment to ensure consistency with national policy.
- Changes to the development timeframe to 6-10 years to reflect a more realistic prospect of when housing will be delivered on site.
- Provide an approach to car parking that meets the requirements of TRC03 and has regard to Policy GSS12.

The site presents an underutilised space within an urban area that can be intensified for residential development.

The information provided in the MM document is factually incorrect. The carpark is almost always full to capacity, even late at night. The proposed development does not meet the needs of the community and is at odds with CS1- Planning Policy as well as the London Borough of Barnet Corporate Plan.

Continue on a separate sheet if necessary

Question 4: Please set out the modification(s) you consider is/are necessary to make the Main Modification legally compliant and sound with respect to the matters you have identified in Question 3 above.

Please note that non-compliance with the duty to co-operate is incapable of modification at examination. You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

This site should be removed from the local plan. It is a very small development site which is critical to residents who purchased homes with the assurance parking was available. This is especially important given the demographic of young families with children and elderly residents who depend on this car park.

In addition, there should be an up to date survey, since pressure on the car park has changed. We note an additional floor on Raffles House, more multiple occupancy homes further to the conversion of offices into residential use.

There needs to be full consultations with residents.

Continue on a separate sheet if necessary

Please note:

In your representation you should summarise succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s).

Declaration of consent

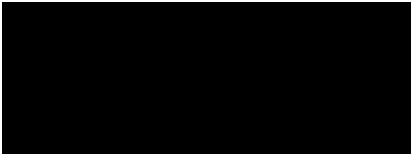
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Signature _____  _____ 18 June 2024 _____ Date



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MM Number 116 Policy _____ Paragraph _____

Figure/Table _____ Policies Map change _____

Question 2: Do you consider that the Main Modification is:

Tick all that apply, please refer to the guidance note for an explanation of these terms.

- a) Legally compliant No
- b) Sound No
- c) Compliant with the Duty to Co-operate No

Question 3: Please give details of why you consider the Main Modifications is not legally compliant, is unsound, or fails to comply with the duty to co-operate.

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MM 116

Site 35: Egerton Gardens Car Park (Middlesex University and The Burroughs)

I refer to the specific modifications below:

- Changes to the approach to the historic environment to ensure consistency with national policy.
- Certainty of the indicative residential capacity contributing to housing supply in the Plan of 25 residential units (including a ratio of 2.5 student rooms to 1 standard housing unit) based on recent planning applications (Ref no: 21/4709/FUL & 23/2868/FUL), and the 6-10 year timeframe to reflect a more realistic prospect of when student housing will be delivered on site given that a planning permission has yet to be granted.
- Remove the percentages for proposed uses to provide necessary flexibility for a designed approach of any future application.
- Provide an approach to car parking that meets the requirements of TRC03 and has regard to Policy GSS12.

Continue on a separate sheet if necessary

The information provided in the MM document is **factually incorrect**. The carpark is almost always full to capacity, even late at night. The proposed development does not meet the needs of the community and is at odds with CS1- Planning Policy as well as the London Borough of Barnet Corporate Plan.

Key failings include:

- i) Site description mentions two churches but fails to mention Hindu mission and temple immediately opposite.
- ii) This site has in fact already been considered in a planning application No: 23/2868/FUL that has been approved by LB Barnet and the Mayor's office.
- iii) The inclusion of this site is justified on grounds that site is underutilised but it is used by the three faith communities (Methodist, Catholic, and Hindu) who rely on it to enable families with children, the elderly and disabled people to access these centres.
- iv) The inclusion of this site, both in the Local Plan on in the above approved planning application is also in conflict with Equalities provision. The EqIA referenced was conducted for the purposes of the now withdrawn SPD, and fails to address the equality needs of:
 - a. The Hindu community – which is not mentioned
 - b. The impact on congregants and parishioners, who need the carpark to access faith-based services
 - c. The impact of the development and inclusion of hundreds more students immediately opposite on the right to religious freedom. The design assumes a ratio of 2.5 student rooms to one standard housing unit; which means the proposed creation of 384 purpose-built student accommodation units would accommodate over 900 students, leading to increased noise from the students activities and increased traffic, which will adversely affect our quiet time, study, reflection, meditation and privacy on the property.
- v) The proposed development does not comply with the London Plan SD1 & H1 as well as community-based principles and Barnet's own policies on the environment ECC01 & ECC02.

Most importantly, the Equalities and Human Rights objections should be noted:

1. The inclusion of the above site is inconsistent with the local authority's requirements to comply with the Equality Act 2010 and specifically Public Sector Equality Duty
2. Barnet Council must comply with the Public Sector Equality Duty ("PSED") in relation to the exercise of all of its functions. Consequently, it must have "due regard" to the need to (section 149 of the Equality Act 2010):
 - a. eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - b. advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - c. foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
3. Section 149 provides further detail as to what having due regard to the need to

“advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it” and “foster good relations between persons who share a relevant protected characteristic and persons who do not share it” (see section 149(3) and (5)).

4. The key legal principles applying to the PSED were summarised by the Court of Appeal in *Bracking et ors v SSWP* [2013] EWCA Civ 1345 (see at [25]). These include the fact that:

- a. The duty must be “exercised in substance, with rigour, and with an open mind”.
- b. The duty must be fulfilled before and at the time when a particular policy is being considered.
- c. An important evidential element in the demonstration of the discharge of the duty is the recording of the steps taken by the decision maker in seeking to meet the statutory requirements.

5. This has not happened. An equalities impact assessment (“EqIA”) was carried out in relation to the now withdrawn Supplementary Planning Document (SPD) and referenced in the above planning document which found that:

*There were no significant impacts identified under the protected characteristic of age, noting that “[t]here is nothing proposed within the draft SPD that will benefit or disadvantage one age group over another.”*and

There were no significant impacts identified under the category of disability and, again, it noted that “[t]he draft proposals in the SPD are not expected to disadvantage any disability groups over another”. and that “There were no impacts identified in relation to race”.

6. The above claims are contested by the fact that the proposed development sites currently provide car parking for hundreds of congregants who collectively attend

- a. Our Lady of Dolores Catholic Church, and its church hall,
- b. the Hendon Methodist Church, and
- c. Chinmaya Mission – a Hindu Mission and Temple.

7. No consideration has been given to the fact that the proposed development on the site would completely obscure these sites from view and prevent them from engaging in communal prayer and reflection, as recorded in a letter from the Trustees of Chinmaya Mission to the London Borough of Barnet Councillors on 15 February 2024, which argues that there are potential ECHR Article 9 violations of the right to freedom of thought, conscience and religion.

8. There is a further claim of indirect discrimination, given both the age and race of congregants. (see Section 19, Equality Act 2010).

9. Also, the EqIA does not include an evaluation whatsoever of the impacts that this development may have on people with protected characteristics and how, for example, elderly people, and religious communities, will use a space alongside Middlesex University students.
10. While the 2021 Equality Impact Analysis (EIA) recognised ‘Potential negative perception/impact of studentification of the area (could upset the elderly/cause disruption)’, none of the actions taken or anticipated address the very real impact that studentification will bring to the area, nor the impact that it may have on other groups with protected characteristics, including children and married couples/civil partnerships, as well as some religious groups (e.g. the large Orthodox Jewish community and the Hindu Community which operate from a mission opposite the site).
11. There is no consideration of the impact the proposed development will have on the right to respect for private and family life.
12. The EqIA is also out of date and many sections now redundant. It addresses in large part the redevelopment of Hendon Library which is a separate application. There is also no mention made of the impact of the pandemic on the local community.
13. The above application further indicates a failure to comply with human rights provisions as set out in UK law. The Human Rights Act 1998 sets out the fundamental rights and freedoms that everyone in the UK is entitled to. Article 9 guarantees the rights to Freedom of thought, belief and religion. The proposed development would undermine congregants’ rights to worship. It would also see a marked increase in the neighbouring population that has already generated tension within the residential community as a result of anti-social behaviour by students.
14. Specifically, the following concerns raise potential violations:
 - a. **Loss of carparking:** The proposed development would sit on top of the existing car park which had been given to the Chinmaya Mission and Methodist Church to use and would obscure its building and the neighbouring surroundings. The loss of parking is not mitigated by the proposed plans: the congregations are intergenerational, and family members both the very young and the elderly participate in their activities. They and their families rely on the immediately available parking. The proposed mitigations should be seen in the light of the current parking situation in the area, where students and visitors to the university park at will, often on residents’ drives and crowding the neighbouring streets. The loss of this carpark will also affect the hundreds of congregants who attend the adjacent Catholic church. This proposed development will create significant parking issues for three faith communities that will undermine their ability to serve the community’s needs.

- b. **Density:** The proposed designs represent overdevelopment in this small, residential area. The proposed use of the new buildings for as student accommodation, residential flats, community and educational facilities will cause widespread disruption which has not been mitigated in the proposal. The problems of overcrowding and antisocial behaviour have not been given serious thought. Faith groups are especially concerned about the impact of the introduction of more people at all hours in this small area. In his letter to the Council, the Chief Inspector of Planning identified that this planning application assumes a ratio of 2.5 student rooms to one standard housing unit. The proposed creation of 384 purpose-built student accommodation units would therefore accommodate 960 students. There is an obvious threat to congregants' right to worship.

- c. **Design:** The proposed buildings are too large and unsympathetic to the street scene and will clash with the listed buildings in the adjacent conservation areas, in addition to the Chinmaya mission that was carefully refurbished to make a positive contribution to this historic area. The rotunda in particular is out of keeping and has no architectural merit, as noted by Historic England which recommends a different design.

Question 4: Please set out the modification(s) you consider is/are necessary to make the Main Modification legally compliant and sound with respect to the matters you have identified in Question 3 above.

Please note that non-compliance with the duty to co-operate is incapable of modification at examination. You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The above site should be removed from the Local Plan, since the Local Authority has failed to comply with its statutory requirements.

To comply, the local authority would need to conduct a proper EqIA and consult fully with the communities affected.

Please note:

In your representation you should summarise succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s).

Declaration of consent

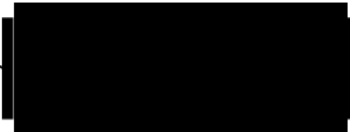
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Signature _____  _____

Date 18 June 2024 _____



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PART B - Your representation

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Question 1: To which Main Modification does your representation relate?

Representations must be made on a specific Main Modification (MM) or Policies Map change

MM Number 117 Policy _____ Paragraph _____

Figure/Table _____ Policies Map change _____

Question 2: Do you consider that the Main Modification is:

Tick all that apply, please refer to the guidance note for an explanation of these terms.

- | | |
|--|------------------------------------|
| a) Legally compliant | No <input type="checkbox"/> |
| b) Sound | No <input type="checkbox"/> |
| c) Compliant with the Duty to Co-operate | No <input type="checkbox"/> |

Question 3: Please give details of why you consider the Main Modifications is not legally compliant, is unsound, or fails to comply with the duty to co-operate.

Please be as precise as possible. If you wish to support the legal compliance or soundness of the Plan, or its compliance with the duty to co-operate, please also use this box to set out your comments.

MM 117 Site 37 Fenella

I refer to the specific modifications below:

- Changes to the approach to the historic environment to ensure consistency with national policy.
- Provide certainty of the indicative residential capacity contributing to housing supply in the Plan of 65 residential units (including a ratio of 2.5 student rooms to 1 standard housing unit) based on two planning applications (Ref no: 21/4709/FUL and the revised application 23/2868/FUL).
- Change the development timeframe to 6-10 years to reflect a more realistic prospect of when student housing will be delivered on site given that a planning permission has yet to be granted.
- Remove the percentages for proposed uses to provide necessary flexibility for a design-led approach for any future application.

Continue on a separate sheet if necessary

Site requirements and development guidelines: The University's future needs will be a key determinant for this site, with the potential to use part of the site for educational purposes such as a lecture hall. Proposals must be of a suitable scale and style which reflects the design context of heritage assets and low-rise buildings, to ensure that the significance of the heritage assets is conserved or enhanced.

As above, this site has already been considered in the approved planning application 23/2868/FUL.

The key failings with the MM document are:

- i) The university's future needs have not been considered including evidence of growing deficit (+£40 million over the past three years, falling numbers of students, increased costs of education, depressing the market.
- ii) The EqIA referenced was conducted for the purposes of the now withdrawn SPD, and fails to address the equality needs of:
 - a. The Hindu community – which is not mentioned;
 - b. The impact on congregants and parishioners, who need the carpark to access faith-based services;
 - c. The impact of the development and inclusion of hundreds more students immediately opposite on the right to religious freedom. The design assumes a ratio of 2.5 student rooms to one standard housing unit; which means the proposed creation of 384 purpose-built student accommodation units would accommodate over 900 students, leading to increased noise from the students activities and increased traffic, which will adversely affect our quiet time, study, reflection, meditation and privacy on the property.
- iii) The proposed development does not comply with the London Plan SD1 & H1 as well as community-based principles and Barnet's own policies on the environment ECC01 & ECC02.

Most importantly, the Equalities and Human Rights objections should be noted:

1. The inclusion of the above site 36 is inconsistent with the local authority's requirements to comply with the Equality Act 2010 and specifically Public Sector Equality Duty
2. Barnet Council must comply with the Public Sector Equality Duty ("PSED") in relation to the exercise of all of its functions. Consequently, it must have "due regard" to the need to (section 149 of the Equality Act 2010):
 - a. eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - b. advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;

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“advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it” and “foster good relations between persons who share a relevant protected characteristic and persons who do not share it” (see section 149(3) and (5)).
4. The key legal principles applying to the PSED were summarised by the Court of Appeal in *Bracking et ors v SSWP* [2013] EWCA Civ 1345 (see at [25]). These include the fact that:
 - a. The duty must be “exercised in substance, with rigour, and with an open mind”.
 - b. The duty must be fulfilled before and at the time when a particular policy is being considered.
 - c. An important evidential element in the demonstration of the discharge of the duty is the recording of the steps taken by the decision maker in seeking to meet the statutory requirements.
5. This has not happened. An equalities impact assessment (“EqIA”) was carried out in relation to the now withdrawn Supplementary Planning Document (SPD) and referenced in the above planning document which found that:

*There were no significant impacts identified under the protected characteristic of age, noting that “[t]here is nothing proposed within the draft SPD that will benefit or disadvantage one age group over another.”*and

There were no significant impacts identified under the category of disability and, again, it noted that “[t]he draft proposals in the SPD are not expected to disadvantage any disability groups over another”. and that “There were no impacts identified in relation to race”.
6. The above claims are contested by the fact that the proposed development sites currently provide car parking for hundreds of congregants who collectively attend
 - a. Our Lady of Dolores Catholic Church, and its church hall,
 - b. the Hendon Methodist Church, and
 - c. Chinmaya Mission – a Hindu Mission and Temple.
7. No consideration has been given to the fact that the proposed development on the site would completely obscure these sites from view and prevent them from engaging in communal prayer and reflection, as recorded in a letter from the Trustees of Chinmaya Mission to the London Borough of Barnet Councillors on

15 February 2024, which argues that there are potential ECHR Article 9 violations of the right to freedom of thought, conscience and religion.

8. There is a further claim of indirect discrimination, given both the age and race of congregants. (see Section 19, Equality Act 2010).
9. Also, the EqIA does not include an evaluation whatsoever of the impacts that this development may have on people with protected characteristics and how, for example, elderly people, and religious communities, will use a space alongside Middlesex University students.
10. While the 2021 Equality Impact Analysis (EIA) recognised ‘Potential negative perception/impact of studentification of the area (could upset the elderly/cause disruption)’, none of the actions taken or anticipated address the very real impact that studentification will bring to the area, nor the impact that it may have on other groups with protected characteristics, including children and married couples/civil partnerships, as well as some religious groups (e.g. the large Orthodox Jewish community and the Hindu Community which operate from a mission opposite the site).
11. There is no consideration of the impact the proposed development will have on the right to respect for private and family life.
12. The EqIA is also out of date and many sections now redundant. It addresses in large part the redevelopment of Hendon Library which is a separate application. There is also no mention made of the impact of the pandemic on the local community.
13. The above application further indicates a failure to comply with human rights provisions as set out in UK law. The Human Rights Act 1998 sets out the fundamental rights and freedoms that everyone in the UK is entitled to. Article 9 guarantees the rights to Freedom of thought, belief and religion. The proposed development would undermine congregants’ rights to worship. It would also see a marked increase in the neighbouring population that has already generated tension within the residential community as a result of anti-social behaviour by students.
14. Specifically, the following concerns raise potential violations:
 - a. **Density:** The proposed designs represent overdevelopment in this small, residential area. The proposed use of the new buildings for as student accommodation, residential flats, community and educational facilities will cause widespread disruption which has not been mitigated in the proposal. The problems of overcrowding and antisocial behaviour have not been given serious thought. Faith groups are especially concerned about the impact of the introduction of more people at all hours in this small

area. In his letter to the Council, the Chief Inspector of Planning identified that this planning application assumes a ratio of 2.5 student rooms to one standard housing unit. The proposed creation of 384 purpose-built student accommodation units would therefore accommodate 960 students. There is an obvious threat to congregants' right to worship.

- b. **Design:** The proposed buildings are too large and unsympathetic to the street scene and will clash with the listed buildings in the adjacent conservation areas, in addition to the Chinmaya mission that was carefully refurbished to make a positive contribution to this historic area. The rotunda in particular is out of keeping and has no architectural merit, as noted by Historic England which recommends a different design.

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The related planning application 23/2868/FUL should be withdrawn before the site is added to the local plan. The proposed plans need to be redrawn and scaled back to take into consideration the university's future needs as well as the community.

A full survey of the university's needs, as well as a revised EqIA should precede any further development.

This site should be listed with strict conditions and re-tabled for development in 10-15 years.

Continue on a separate sheet if necessary

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Figure/Table _____ Policies Map change _____

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Tick all that apply, please refer to the guidance note for an explanation of these terms.

- | | |
|--|------------------------------------|
| a) Legally compliant | No <input type="checkbox"/> |
| b) Sound | No <input type="checkbox"/> |
| c) Compliant with the Duty to Co-operate | No <input type="checkbox"/> |

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MM – 118 Ravensfield House

I refer to the specific modifications below:

- Changes to the approach to the historic environment to ensure consistency with national policy.
- Provide certainty of the indicative residential capacity contributing to housing supply in the Plan of 90 residential units (including a ratio of 2.5 student rooms to 1 standard housing unit) based on planning applications (Ref no: 21/4709/FUL and 23/2868/FUL), and a 6-10 year development timeframe to reflect a more realistic prospect of when student housing will be delivered on site given that a planning permission has yet to be granted.
- Remove the percentages for proposed uses to provide necessary flexibility for a designed approach for any future application.

Site requirements and development guidelines: The University's future needs will be a key determinant for this site, with the potential to use part of the site for educational purposes such as a lecture hall. Proposals must be of a suitable scale and style which reflects the design context of heritage assets and low-rise buildings, to ensure that the significance of the heritage assets is conserved or enhanced.

Continue on a separate sheet if necessary

Key failings within the MM document include:

- i) The EqIA referenced was conducted for the purposes of the now withdrawn SPD, and fails to address the equality needs of:
 - a. The Hindu community – which is not mentioned;
 - b. The impact on congregants and parishioners, who need the carpark to access faith-based services;
 - c. The impact of the development and inclusion of hundreds more students immediately opposite on the right to religious freedom. The design assumes a ratio of 2.5 student rooms to one standard housing unit; which means the proposed creation of 384 purpose-built student accommodation units would accommodate over 900 students, leading to increased noise from the students activities and increased traffic, which will adversely affect our quiet time, study, reflection, meditation and privacy on the property.
- ii) The proposed development does not comply with the London Plan SD1 & H1 as well as community-based principles and Barnet's own policies on the environment ECC01 & ECC02.

Most importantly, the Equalities and Human Rights objections should be noted:

1. The inclusion of the above site 38 Ravensfield House is inconsistent with the local authority's requirements to comply with the Equality Act 2010 and specifically Public Sector Equality Duty
2. Barnet Council must comply with the Public Sector Equality Duty ("PSED") in relation to the exercise of all of its functions. Consequently, it must have "due regard" to the need to (section 149 of the Equality Act 2010):
 - a. eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - b. advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - c. foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
3. Section 149 provides further detail as to what having due regard to the need to "advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it" and "foster good relations between persons who share a relevant protected characteristic and persons who do not share it" (see section 149(3) and (5)).
4. The key legal principles applying to the PSED were summarised by the Court of Appeal in *Bracking et ors v SSWP* [2013] EWCA Civ 1345 (see at [25]). These include the fact that:

- a. The duty must be “exercised in substance, with rigour, and with an open mind”.
 - b. The duty must be fulfilled before and at the time when a particular policy is being considered.
 - c. An important evidential element in the demonstration of the discharge of the duty is the recording of the steps taken by the decision maker in seeking to meet the statutory requirements.
5. This has not happened. An equalities impact assessment (“EqIA”) was carried out in relation to the now withdrawn Supplementary Planning Document (SPD) and referenced in the above planning document which found that:

*There were no significant impacts identified under the protected characteristic of age, noting that “[t]here is nothing proposed within the draft SPD that will benefit or disadvantage one age group over another.”*and

There were no significant impacts identified under the category of disability and, again, it noted that “[t]he draft proposals in the SPD are not expected to disadvantage any disability groups over another”. and that “There were no impacts identified in relation to race”.
6. The above claims are contested by the fact that the proposed development sites currently provide car parking for hundreds of congregants who collectively attend
 - a. Our Lady of Dolores Catholic Church, and its church hall,
 - b. the Hendon Methodist Church, and
 - c. Chinmaya Mission – a Hindu Mission and Temple.
7. No consideration has been given to the fact that the proposed development on the site would completely obscure these sites from view and prevent them from engaging in communal prayer and reflection, as recorded in a letter from the Trustees of Chinmaya Mission to the London Borough of Barnet Councillors on 15 February 2024, which argues that there are potential ECHR Article 9 violations of the right to freedom of thought, conscience and religion.
8. There is a further claim of indirect discrimination, given both the age and race of congregants. (see Section 19, Equality Act 2010).
9. Also, the EqIA does not include an evaluation whatsoever of the impacts that this development may have on people with protected characteristics and how, for example, elderly people, and religious communities, will use a space alongside Middlesex University students.
10. While the 2021 Equality Impact Analysis (EIA) recognised ‘Potential negative perception/impact of studentification of the area (could upset the elderly/cause disruption)’, none of the actions taken or anticipated address the very real impact

that studentification will bring to the area, nor the impact that it may have on other groups with protected characteristics, including children and married couples/civil partnerships, as well as some religious groups (e.g. the large Orthodox Jewish community and the Hindu Community which operate from a mission opposite the site).

11. There is no consideration of the impact the proposed development will have on the right to respect for private and family life.
12. The EqIA is also out of date and many sections now redundant. It addresses in large part the redevelopment of Hendon Library which is a separate application. There is also no mention made of the impact of the pandemic on the local community.
13. The above application further indicates a failure to comply with human rights provisions as set out in UK law. The Human Rights Act 1998 sets out the fundamental rights and freedoms that everyone in the UK is entitled to. Article 9 guarantees the rights to Freedom of thought, belief and religion. The proposed development would undermine congregants' rights to worship. It would also see a marked increase in the neighbouring population that has already generated tension within the residential community as a result of anti-social behaviour by students.
14. Specifically, the following concerns raise potential violations:
 - a. **Density:** The proposed designs represent overdevelopment in this small, residential area. The proposed use of the new buildings for as student accommodation, residential flats, community and educational facilities will cause widespread disruption which has not been mitigated in the proposal. The problems of overcrowding and antisocial behaviour have not been given serious thought. Faith groups are especially concerned about the impact of the introduction of more people at all hours in this small area. In his letter to the Council, the Chief Inspector of Planning identified that this planning application assumes a ratio of 2.5 student rooms to one standard housing unit. The proposed creation of 384 purpose-built student accommodation units would therefore accommodate 960 students. There is an obvious threat to congregants' right to worship.
 - b. **Design:** The proposed buildings are too large and unsympathetic to the street scene and will clash with the listed buildings in the adjacent conservation areas, in addition to the Chinmaya mission that was carefully refurbished to make a positive contribution to this historic area. The rotunda in particular is out of keeping and has no architectural merit, as noted by Historic England which recommends a different design.

Question 4: Please set out the modification(s) you consider is/are necessary to make the Main Modification legally compliant and sound with respect to the matters you have identified in Question 3 above.

Please note that non-compliance with the duty to co-operate is incapable of modification at examination. You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The related planning application 23/2868/FUL should be withdrawn before the site is added to the local plan. The proposed plans need to be redrawn and scaled back to take into consideration the university's future needs as well as the community.

A full survey of the university's needs, as well as a revised EqIA should precede any further development.

This site should be listed with strict conditions and re-tabled for development in 10-15 years.

Continue on a separate sheet if necessary

Please note:

In your representation you should summarise succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s).

Declaration of consent

The personal information you provide on this form will be processed in accordance with General Data Protection Regulations 2018 (GDPR). The information you provide will only be used for the purposes of the preparation of the Local Plan as required by the Planning and Compulsory Purchase Act 2004 (as amended), and may be used by the Council to contact you if necessary, regarding your submission. Your name, name of organisation, and comments, will be made available for public inspection when displaying and reporting the outcome of the statutory consultation stage and cannot be treated as confidential. You will not be asked for any unnecessary information and we will not publish any personal data beyond what is stated in this declaration.

Your details will be kept in accordance with the Council's Privacy Notice, until the Local Plan is adopted plus a further five years to evidence that a fair and transparent process has been followed. Processing is kept to a minimum and data will only be processed in accordance with the law. We will take all reasonable precautions to protect your personal data from accidental or deliberate loss or unauthorised disclosure.

The Council's Privacy Notice can be viewed at <https://www.barnet.gov.uk/your-council/policies-plans-and-performance/privacy-notices>

The legal basis which enables the Council to process your data for this purpose is consent from the data subject (you) under Article 6, paragraph (a) of the GDPR. Information provided will be stored in accordance with the Council's retention and disposal guidelines.

By completing and signing this form I agree to my name, name of organisation, and representations being made available for public inspection on the internet, and that my data will be held and processed as detailed above, in accordance with the Council's Privacy Notice:

Signature  Date 18 June 2024



**Main Modifications
Local Plan**

Representations Form

Ref:

(For official use
only)

PART B - Your representation

Please complete a separate Part B for each representation and return along with a single completed Part A.

Question 1: To which Main Modification does your representation relate?

Representations must be made on a specific Main Modification (MM) or Policies Map change

MM Number 119 Policy _____ Paragraph _____

Figure/Table _____ Policies Map change _____

Question 2: Do you consider that the Main Modification is:

Tick all that apply, please refer to the guidance note for an explanation of these terms.

- | | |
|--|-----------------------------|
| a) Legally compliant | No <input type="checkbox"/> |
| b) Sound | No <input type="checkbox"/> |
| c) Compliant with the Duty to Co-operate | No <input type="checkbox"/> |

Question 3: Please give details of why you consider the Main Modifications is not legally compliant, is unsound, or fails to comply with the duty to co-operate.

Please be as precise as possible. If you wish to support the legal compliance or soundness of the Plan, or its compliance with the duty to co-operate, please also use this box to set out your comments.

I refer to the specific modifications below:

- Changes to the approach to the historic environment to ensure consistency with national policy.
- Changes to the development timeframe to 6-10 years to reflect a more realistic prospect of when housing will be delivered on site.
- Provide an explanation of the approach to car parking that meets the requirements of TRC03 and has regard to Policy GSS12.

Justification: The site presents an underutilised space within an urban area that can be intensified for residential development.

Key failings include:

- Factual inaccuracies – the car park is over utilised to the point it is frequently full to capacity.
- The owners of buildings immediately opposite purchased them with the understanding parking was available.
- Further equalities claims - No alternatives have been considered, including the impact on families with children and elderly family members who rely on this car park.

Continue on a separate sheet if necessary

Question 4: Please set out the modification(s) you consider is/are necessary to make the Main Modification legally compliant and sound with respect to the matters you have identified in Question 3 above.

Please note that non-compliance with the duty to co-operate is incapable of modification at examination. You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

This site should be removed from the Local Plan. It is a very small development site, yet this is a critical public amenity for residents who purchased homes on the assurance that parking was provided. This is especially important given the demographic of residents neighbouring the car park – families with young children and elderly residents. No alternative parking would be acceptable. A new parking survey should be commissioned.

Continue on a separate sheet if necessary

Please note:

In your representation you should summarise succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s).

Declaration of consent

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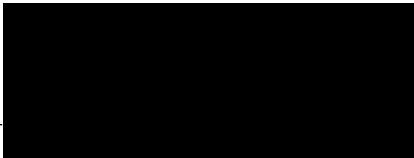
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Signature _____



Date 18 June 2024 _____