

11<sup>th</sup> June 2024

Nick Lynch  
Planning Policy Manager  
Via email [forward.planning@barnet.gov.uk].

Dear Nick,

### **Representation to Main Modifications to the LB Barnet Local Plan (Dated May 2024)**

We write on behalf of St George City Limited (SGCL) in representation to the Main Modifications to the LB Barnet Local Plan (Dated May 2024). We have identified a series of comments below on these main modifications which we request are considered in the future stages of Local Plan preparation. SGCL own the 'Silkstream' site as identified in Appendix 1 which benefits from planning permission (ref. 19/4661/FUL) dated 31st July 2020 to deliver the following:

*'Full planning application for the comprehensive phased redevelopment of existing supermarket site comprising phased demolition of existing store and Petrol Filling Station and construction of a mixed use development comprising a replacement Sainsburys store of 8,998 sqm GIA (Use Class A1), 1,309 residential units (Use Class C3) and 951 sqm GIA flexible commercial space (Use Class A1 to A4, B1, D1 and D2) in buildings ranging from 4 to 28 storeys. Enabling works phase to comprise demolition of PFS, amendments to existing supermarket including the construction of new temporary entrance, highways works, amendments to car park and access arrangements and other associated works. Phase 1 to comprise construction of new supermarket including basement, car and cycle parking, plant and servicing areas, 770 residential units and podium level amenity space. Phase 2 to comprise the demolition of existing supermarket and other associated works, 539 residential units, flexible commercial space, basement, car and cycle parking, public open space, landscaping, vehicular and pedestrian routes, servicing and access arrangements and other associated works.*

### **Comments on Main Modifications**

#### MM9 – Policy BSS01

We note that Policy BSS01 which sets the overarching spatial strategy for the Borough has been amended to remove reference to the suite of policies setting out the identified locations for growth in the Plan (GSS01 to GSS13). Following the MM, this policy now states that growth should be concentrated in Barnet's Growth Areas, Opportunity Areas (as identified in the London Plan) and District Town Centres along with areas with identified capacity. We consider that this MM results in a lack of clarity where it is not explicitly clear that the overarching spatial strategy for the Borough includes accommodating growth within areas identified within Policies GSS01 to GSS13,

including on the Major Thoroughfares and suggest the wording in red is added to the policy to rectify this:

*In order to make effective use of land in urban areas and better manage the impacts of development on the climate, growth will be concentrated in Barnet's Growth Areas, Opportunity Areas (as identified in the London Plan) and District Town Centres. These are the most sustainable locations with good public transport connections and active travel provision. Outside of these locations, growth will be supported in places where there is identified capacity **including in accordance with Policies GSS09 (at Existing and Major new public transport infrastructure locations), GSS10 (through estate renewal and infill), GSS11 (on Major Thoroughfares) and GSS12 (other Large Sites)** and where the historic environment and local character can be conserved or enhanced as a result.*

This will ensure the policy is effective in directing growth to sustainable locations, including those explicitly identified in other policies within the Plan.

#### MM 33 – Policy HOU01

We note that Policy HOU01 (Affordable Housing) has been amended to remove wording stating that *"Within the context of a strategic London Plan target of 50% of all new homes to be affordable the Council will seek a minimum of 35% affordable housing from all developments of 10 or more dwellings."* and now states that *"the Council will seek to maximise delivery of affordable housing in accordance with the London Plan."*

This is inconsistent with explanatory text to this policy which states that *"the Council sets out in Policy HOU01 its minimum requirements for affordable housing. Barnet's strategic affordable housing target for 50 per cent of all new homes to be affordable, with a minimum requirement of 35 per cent (or 50 per cent on publicly owned land)"*

Policy HOU01 no longer sets out the minimum requirements for affordable housing. We therefore consider that the policy when read in conjunction with the supporting text (as amended) is not sufficiently clear. The policy and supporting text should be explicitly clear on what the applicable threshold level is which should preferably be included in the policy wording itself. This will ensure that this policy is effective and remove inconsistencies.

#### MM41 – Policy CDH01

Wording has been added to Section 6.9 of the Plan to state that *In accordance with London Plan para 3.6.5 single aspect dwellings, which are more difficult to ventilate naturally and more likely to overheat, should normally be avoided.* Paragraph 3.6.5 of the London Plan only refers to single aspect north facing units therefore we suggest that the wording in red below is added. We have also suggested that the wording struck through is removed noting that north facing homes do not typically experience overheating issues. This will ensure that this policy is aligned with the London Plan:

*In accordance with London Plan para 3.6.5 ~~north facing~~ single aspect dwellings, which are more difficult to ventilate naturally ~~and more likely to overheat~~, should normally be avoided*

MM46 – Policy CDH04

We note that Policy CDH04 (Section 6.18) has been updated to include wording stating that along the Edgware Road (A5) tall buildings present greater challenges in addressing more constrained site locations. We have reviewed the Tall Buildings Study Update (2019) which was undertaken to support the preparation of the Local Plan. This guidance specifically considers the appropriateness of the A5 for tall buildings and suggests four clusters that are considered acceptable for tall buildings with associated guidance on heights, noting that this is an indicator of appropriateness within the cluster area however acceptable heights will be dependent on the individual site compliance with policy and visual impact assessment that should be conducted as part of the planning application process. Therefore, we do not consider that the supporting evidence indicates that the A5 is a constrained location for tall buildings and in our view is not sufficiently justified. We recommend amendments below in strikethrough text:

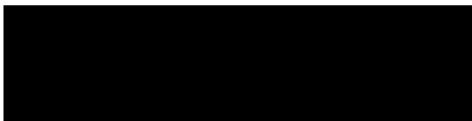
Within more sensitive townscapes as well as Growth Areas and Town Centres such as Finchley Central, and North Finchley, ~~and along historic routes such as the Edgware Road (A5)~~ and the Great North Road (A1000) this form of development presents greater challenges in addressing more constrained site locations.

**Next Steps**

We would like to thank you for the opportunity to be involved in the ongoing preparation of the LB Barnet Local Plan. We trust that the above comments are clear and helpful.

We request that we are kept updated concerning any future consultation stages concerning the Local Plan.

Yours sincerely



**Avison Young**

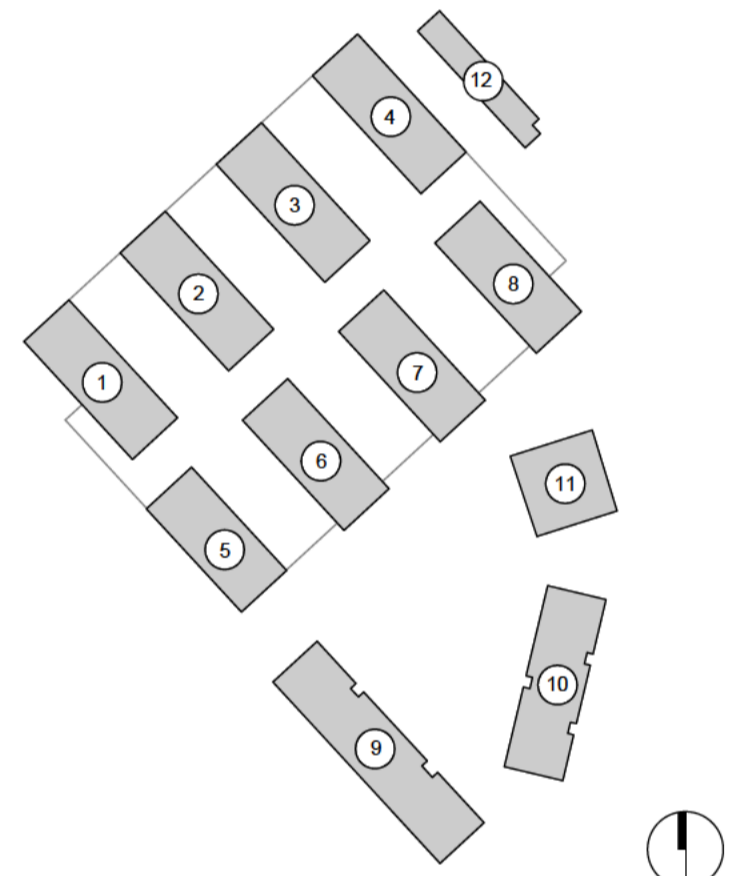
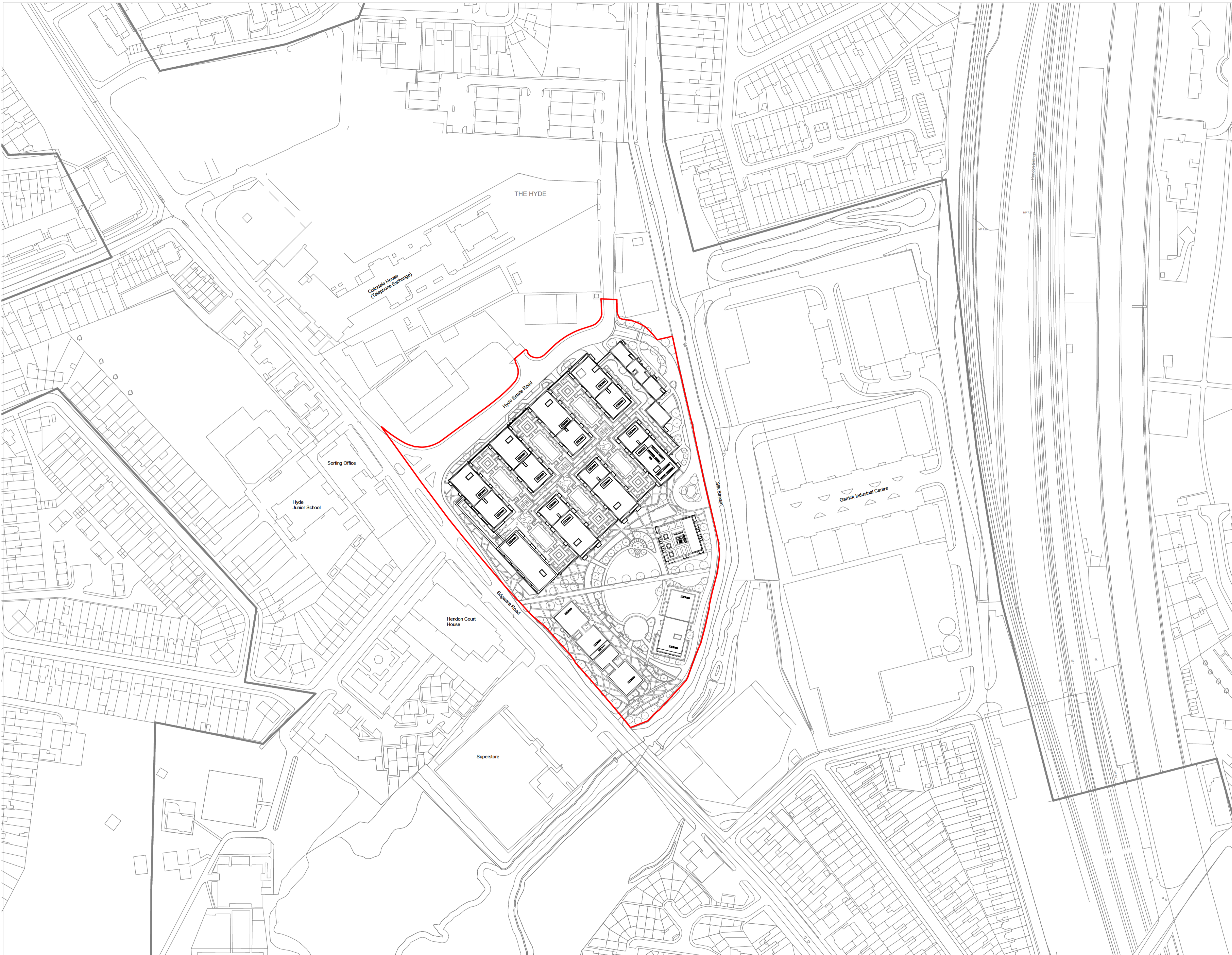




## Appendix 1: Site Plan

All dimensions are in mm unless otherwise stated  
 All dimensions to be verified on site before proceeding with the work  
 Any discrepancies to be notified in writing to Architect immediately  
 All boundaries indicative only and to be confirmed by others

Application Boundary



P01	08.2019	Issued to the London Borough of Barnet for Planning	CS
REV	DATE	NOTES	INT

**PLANNING**

**HUTCHINSON & PARTNERS**

3, 12 The Record Hall, 16-16A Baldwin's Garden, London, EC1N 7RJ  
 t. 020 3176 8192 e. info@hutchinsonandpartners.com w. www.hutchinsonandpartners.com

JOB TITLE  
**Silk Park**

DRAWING TITLE / LOCATION  
**Proposed Red Line Site Location Plan**

DRAWN BY MR	CHECKED JW	SCALE 1:1250 @ A1	STATUS PLANNING
PROJECT 18025	DRAWING NO 00 AP 0010 100	REVISION P01	

CLIENT





**Main Modifications  
Local Plan**

Representations Form

Ref:
(For official use only)

This form should be used to provide representations on the London Borough of Barnet Draft Local Plan. Representations must be received by 23:59 on 18<sup>th</sup> June 2024. Only those representations received within this period have the statutory right to be considered by the inspector at the subsequent examination. This form can be submitted via email to [forward.planning@barnet.gov.uk](mailto:forward.planning@barnet.gov.uk) or by post to Planning Policy Team, 6th Floor, 2 Bristol Avenue, Colindale, London, NW9 4EW.

Please read the guidance note, available on the Council's Engage webpage, before you make your representations. The main modifications to the emerging Local Plan and a full list of supporting documents and evidence are also available to view and download from the Council's Local Plan Review webpage: <https://www.barnet.gov.uk/planning-and-building/planning-policies-and-local-plan/local-plan-review>

Please note:

- Representations must only be made on the basis of the legal compliance or soundness of the Plan, or compliance with the Duty to Co-operate.
- All representations are required to be made public and will be published on the Council's website following this consultation. Your representations and name/name of your organisation will be published, but other personal information will remain confidential. Anonymous responses will not be considered. Your personal data will be held and processed in accordance with the Council's Privacy Notice which can be viewed at: <https://www.barnet.gov.uk/your-council/policies-plans-and-performance/privacy-notice>

This form has two parts:

Part A - Personal details - only necessary to complete once

Part B - Your representation(s) - please complete a separate sheet for each representation you wish to make.

**PART A – Personal Details**

	Personal details	Agent details (if applicable)
Title		Ms
First name		Hannah
Surname		Walker
Job Title (where relevant)		[REDACTED]
Organisation name (where relevant)		[REDACTED]
Email address (where relevant)		[REDACTED]
Telephone number		[REDACTED]
Address line 1		[REDACTED]
Address line 2		
City/Town		[REDACTED]
Postcode		[REDACTED]
Country		

If you are submitting a representation on behalf of a group of individuals, please indicate how many people you are representing and describe how the representation has been authorised:

St George City Limited

You can request to be added to the Council's planning policy consultation database by emailing us at [forward.planning@barnet.gov.uk](mailto:forward.planning@barnet.gov.uk). You will then be notified when planning policy related documents are available for consultation or are adopted.

You can request to be removed from any or all mailing lists at anytime by emailing us at the same email address.



**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: MM9, MM33, MM41, MM46 Policy: BSS01, HOU1, CDH01, CDH04 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                     | Yes <input type="checkbox"/> | No <input type="checkbox"/>            |
| b) Sound                                 | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| c) Compliant with the Duty to Co-operate | Yes <input type="checkbox"/> | No <input type="checkbox"/>            |

**Question 3: Please give details of why you consider 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.*

Please refer to cover letter prepared by Avison Young



**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.*

Please refer to cover letter prepared by Avison Young

**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 Avison Young**

**Date 11<sup>th</sup> June 2024**