

Nick Lynch

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Department: Planning

Reference: LDF02/LDD12/LP03/JB01

Date: 8 July 2024

By email: nick.lynch@barnet.gov.uk
forward.planning@barnet.gov.uk

Dear Nick,

**Planning and Compulsory Purchase Act 2004 (as amended);
Greater London Authority Acts 1999 and 2007; Town and Country Planning (Local
Development) (England) Regulations 2012**

Re: Main Modifications to the Local Plan consultation

Thank you for consulting the Mayor of London on the London Borough of Barnet (LBB) Main Modifications to the Local Plan consultation. As you are aware, all Development Plan Documents in London must be in general conformity with the London Plan under section 24 (1)(b) of the Planning and Compulsory Purchase Act 2004. The Mayor has afforded me delegated authority to make detailed comments which are set out below.

The Mayor provided comments on the Regulation 19 consultation on the LBB draft Local Plan 2037 on 9th August 2021 (Ref: LDF01/LDD12/LP02/DR01). This letter follows on from that earlier advice and sets out where you should make further amendments so that the draft Plan is more closely aligned with the London Plan 2021 (LP2021). These comments should be read alongside the Mayor's previous responses and the Statement of Common Ground (SoCG) that was agreed between the GLA and LBB officers on 30th March 2022. The LP2021 was formally published on the 2 March 2021, and now forms part of LBB's Development Plan and contains the most up-to-date policies.

General

The Mayor has concerns over the proposed modification to Policy CHD04 which would result in the removal of the tall building upper height figure in areas that may be

appropriate for tall building development (established in the earlier iteration of the Local Plan at Regulation 19).

Policy D9B(2) of the LP2021 requires that, where there are locations where tall buildings may be an appropriate form of development, these locations *and appropriate building heights* should be identified on maps in development plans. The upper figure in the range previously in the plan were interpreted as providing the appropriate building heights as required by LP2021. The Mayor notes that the draft plan is at a very late stage and that the change was made at the request of the Inspector but it is not clear how the proposed modification would meet the requirements of Policy D9B of the LP2021.

The Mayor notes LBB’s intention to produce a Designing for Density Supplementary Planning Document (SPD) in the future, which will contain guidance in relation to tall building development proposals. To be consistent with Policy D9B LBB should be aware that the appropriate tall building heights should be identified in Development Plans and therefore, a proposal to publish this in an SPD does not meet the policy.

Below are the Mayor’s comments on specific modifications set out in the consultation.

Proposed modifications

Ref	Policy / para	Comments
MM33	Policy HOU01	The Mayor welcomes the modifications made to Policy HOU01. The proposed changes bring the policy fully into line with the LP2021 and references to LP2021 Policies H4, H5 and DF1 provide clarity to decision makers when using the policy. The changes to paragraph 5.4.10 are welcomed and these reflect the changes agreed in the SoCG between the GLA and LBB.
MM39	HOU07	The added reference to the Mayor’s forthcoming London-wide Gypsy and Traveller Accommodation Needs Assessment (GTANA) informing an early review of the Local Plan is welcomed.
MM46	CDH04	The policy should be amended to read ‘Tall buildings (8 to 14 storeys and above, or (26 to 46 metres above and ground level)) may be appropriate in the following locations...’.
MM46	CDH04 Part E	The modification should be changed to 18m to correctly reflect the March 2024 changes to the Building Regulations and should read “Proposals that involve residential buildings over 30 18 metres in height will need to provide two staircases to meet Building Regulations standards on Fire Safety”
MM46	Para 6.18.3	The proposed modification to paragraph 6.18.3 which would introduce a sentence which the Mayor considers should be removed. The proposed sentence reads ‘The Council will also assess applications for tall buildings proposed on sites outside of the

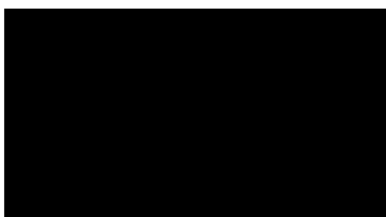
		locations specified in CDH04A as potentially suitable for tall buildings; all applications need to be determined against relevant development management criteria. The proposed modification would introduce an exception to the policy which simply describes the planning system as a whole when determining planning applications, where proposals are assessed against the development plan taken as a whole and any other material considerations. By stating this within this policy, but not others, it creates the perception of a point of difference in how this is applied where there is an 'in principle' objection against one element of the development plan. In light of this, this element of the proposed modification should be removed.
MM47	Map 4	The Mayor welcomes the changes to Map 4 to set more clearly defined areas that are appropriate for tall buildings. However, the appropriate heights for buildings within these areas should be set out clearly in the map or the legend.

Next steps

GLA officers will continue to offer their support in order to resolve the issues identified in this letter.

I hope these comments inform the final stages of the LBB Local Plan preparation and we look forward to continuing to work with you. If you have any specific questions regarding the comments in this letter, please do not hesitate to contact Jonathan Blathwayt at jonathan.blathwayt@london.gov.uk.

Yours sincerely,



Assistant Director of Planning

Cc: Anne Clarke, London Assembly Constituency Member
 Andrew Boff, Chair of London Assembly Planning Committee
 National Planning Casework Unit, DLUHC