

18 February 2021

Our ref: 6976908

Thank you for your request received on 25 January 2021, for the following information:

Under EIR 2004 regulations, I would like to request information regarding the council's implementation of London Plan policy 5.9 (on overheating risk) in planning decisions, particularly in major residential developments.

Specifically:

- 1. What is the council's approach to implementing policy 5.9, and has the council developed additional local policies in this area?***
- 2. At the pre-application stage, what advice is provided to developers to help them address policy 5.9? For example, are developers made aware of GLA guidance on energy assessments and the 'Early Stage Overheating Risk Tool' in Appendix I?***
- 3. Are developers expected to carry out dynamic overheating modelling as recommended in the GLA guidance?***
- 4. How does the council monitor the success of these policies in reducing overheating issues in new build properties?***

If any of these information requests are unclear, I am happy to revise my request with your advice as required under the regulations. I would like all information to be provided in an electronic format where possible.

We have processed this request under the Environmental Information Regulations 2004.

Response

I can confirm that London Borough of Barnet holds the information you requested. However, we consider that the following exceptions apply to some of the information requested.

We consider that Regulation 6(1)(b) applies to some of the information requested because the information requested is already publicly available and easily accessible.

1. What is the council's approach to implementing policy 5.9, and has the council developed additional local policies in this area?

The Council published in 2016 the Barnet Sustainable Design and Construction SPD - this provides further detail - see para 2.8.3

<https://www.barnet.gov.uk/sites/default/files/assets/citizenportal/documents/planningconservationandbuildingcontrol/PlanningPolicy/SPD/appendix2draftSustainableDesignandConstructionoct2016.pdf>

2. At the pre-application stage, what advice is provided to developers to help them address policy 5.9? For example, are developers made aware of GLA guidance on energy assessments and the 'Early Stage Overheating Risk Tool' in Appendix I?

Developers are referred to take account and guidance all relevant Local, London Plan and national planning policies at pre application

3. Are developers expected to carry out dynamic overheating modelling as recommended in the GLA guidance?

On larger schemes we defer to the GLA as part of their involvement in assessing planning applications

4. How does the council monitor the success of these policies in reducing overheating issues in new build properties?

The Council has no specific monitoring indicators on overheating

Further information

If you are interested in the data that the council holds you may wish to visit Open Barnet, the council's data portal. This brings together all our published datasets and other information of interest on one searchable database for anyone, anywhere to access. <http://open.barnet.gov.uk/>

Advice and Assistance : Direct Marketing

If you are a company that intends to use the names and contact details of council officers (or other officers) provided in this response for direct marketing, you need to be registered with the Information Commissioner to process personal data for this purpose. You must also check that the individual (whom you wish to contact for direct marketing purposes) is not registered with one of the Preference Services to prevent Direct Marketing. If they are you must adhere to this preference.

You must also ensure you comply with the Privacy Electronic and Communications Regulations (PECR). For more information follow this Link www.ico.org.uk

For the avoidance of doubt the provision of council (and other) officer names and contact details under FOI does not give consent to receive direct marketing via any media and expressly does not constitute a 'soft opt-in' under PECR.

Your rights

If you are unhappy with the way your request for information has been handled, you can request a review within the next 40 working days by writing to the Information Management Team at: foi@barnet.gov.uk. Or by post to Information Management Team (FOI) London Borough of Barnet, 2 Bristol Avenue, Colindale, NW9 4EW

If, having exhausted our review procedure, you remain dissatisfied with the handling of your request or complaint, you will have a right to appeal to the Information Commissioner at: The Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF (telephone: 0303 123 1113; website www.ico.org.uk). There is no charge for making an appeal.