

LONDON BOROUGH OF BARNET



**SUPPLEMENTAL PROOF OF EVIDENCE FOR THE WITNESS OF LONDON
BOROUGH OF BARNET COUNCIL.**

**PLANNING INQUIRY UNDER SECTION 77 AND TOWN AND
COUNTRY PLANNING (INQUIRIES PROCEDURE) (ENGLAND)
RULES 2000**

PREPARED BY COUNCILLOR NIGEL YOUNG

PLANNING INQUIRY: APPLICANT MATT WALTON

REF: APP/N5090/V/22/3307073

COUNCIL REF: 20/3564/OUT

I.0 Supplemental Evidence

- I.1 In Paragraphs 8.31-8.35 of my main Proof of Evidence, the Emerging Local Plan was considered in particular with regard to the indicative capacity of the Application Site. In paragraph 8.34 it was noted that proposed modifications to the submission version of the Local Plan are the subject of a note prepared by the Council, which was programmed to be with the Inspectors by the end of January 2023. This note will, in fact, be submitted to the Examination in Public on 7 February. The part of this note, which covers the indicative capacity of sites within the emerging Local Plan, has been finalised and an extract is attached to my Supplemental Proof of Evidence as Appendix 1
- I.2 The issuing of this note to the Local Plan Inspector is an important milestone in the adoption of the Local Plan and I also attach the programme for the final stages of the consideration and adoption of the Local Plan as Appendix 2.

APPENDIX I

Barnet Local Plan EIP – Note on Site Allocations

Reason for producing this note

On Days 11 and 12 (Friday 4th November and Tuesday 8th November) at the hearing session's, consideration of Matter 10 – Site Allocations, Inspector Wildgoose requested provision of a Note covering the following:

1. Any changes to numbers in site allocations should be reflected in housing trajectory.
2. Specific questions about sites 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 16, 18, 21, 23, 24, 25, 26, 27, 28, 30, 32, 34, 39, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 65, 66 and 67
3. Broader reflection on application of central density matrix to all Annex 1 sites (in particular sites 7, 8, 11, 12 and 13)
4. Consideration of TfL request for further allocation at Colindale station. Consider delivery and implications of infrastructure delivery options for plan
5. Broader reflection within Plan on ward boundary changes
6. Hendon Hub sites 35, 36, 38, 40, 41 –confined to information in the public domain, on planning application to be made for these sites / non-issue of planning permissions. Consider impact, if any, on proposed allocation and assumptions for housing numbers
7. Review and respond to the Ramblers' Association's representations on the approach to footpath connections for site allocations in Annex 1 and the strategic walking network. Consider any resulting modifications.

In answering these questions the Council has sought as far as possible to put its responses in a logical order on a site by site basis.

Background

1. Following submission of the Barnet Local Plan in November 2021 the Council in June 2022 produced a table of proposed modifications (EXAM 4). This document was produced after consideration of the Reg 19 soundness representations received, together with subsequent discussions with parties on the drafting of Statements of Common Ground. EXAM 4 includes proposed modifications to policies and supporting text pertaining to retail and other main town centre uses. These proposed modifications were considered during the examination hearing session where Matter 4 was discussed. However, in the light of that discussion and the requests made by Inspector Wildgoose for further clarification, explanation and justification of the matters detailed in this note, the Council now proposes a series of additional further modifications as set out below.
2. The following format has been used in this Note to denote further proposed modifications to the submission version of plan as revised by the proposed modifications listed in EXAM 4.

~~Strikethrough text~~ to indicate text proposed for removal.

Underlined text to indicate additional text.

Consequential changes to the Summary Table, Borough Sites Map, Housing Trajectory, Table 5 and Table 5A will be captured at Main Modifications stage.

Consideration

Sites are listed in the order they were discussed at the EIP

Site 5: Edgware Hospital (Major Thoroughfare) – consider modification looking at extent of land that is available outside of flood zone 2 and 3 and whether intensification beyond that permitted achievable. 129 units is starting position for the capacity of the site reflecting national approach to flood risk, unless otherwise justified.

3. As part of the Regulation 19 stage, the Council undertook a Level 2 Strategic Flood Risk Assessment (SFRA) on its Schedule of Site Proposals. A Technical Note (Local Plan Schedule of Site Proposals Flood Risk - Sequential and Exception Test - TECHNICAL NOTE – February 2022) (EB_GI_18) to support the Level 2 SFRA was also produced to establish whether the sites should be omitted or retained within the Site Proposals Schedule. The documents identify that design and mitigation measures can enable development on the site whilst managing flood risk. The Technical Note advises that opportunities for flood storage on site should be considered as this can reduce flood risk on site and elsewhere.
4. The Level 2 SFRA and supporting Technical Note conclude that Site 5 passes the Exceptions Test as there are no reasonable alternatives to this site with similar capacity and in close proximity within lower flood risk zones. Therefore the site can be developed safely with regards to flood risk. It recommends avoiding development within Zone 3b, which is largely concentrated closer to the Silk Stream. The evidence supports the view that flood resilience measures and compensatory flood storage equal to or exceeding flood depths will be required to offset development. However, without prejudice, to the foregoing, any forthcoming scheme must be accompanied by a detailed site-specific Flood Risk Assessment that assesses flood risk from all sources and provides detailed mitigation and safe access and egress.
5. An application for outline planning permission has recently been granted for the demolition of existing buildings and phased redevelopment of surplus land to provide 129 residential units (Use Class C3), flexible use commercial floorspace (Use Class E) in buildings ranging from 5-7 storeys along with car parking, servicing bays, associated landscaping / amenity space, plant and refuse areas (All matters are reserved except for access arrangements) under application ref: 21/0274/OUT (granted: 07.09.2022). The residential buildings approved are adjacent to the A5 and are wholly outside of areas affected by Flood Zones 2 and 3. The Inspector has suggested considering 129 units as the starting point of reviewing the site's capacity. Given the findings and recommendations of the Level 2 SFRA and Technical Note, it is not considered necessary significantly to limit the capacity of the site. Only a revision to the developable area of site should be made, reducing this by approximately 19% (i.e. omitting the area affected by Flood Zone 3b). This will be reflected in the site allocation map and the 'site requirements and development guidelines' of Annex 1. A reduction in the developable site area by 19% results in a site size area of 4.78ha (1.12ha reduction from 5.9ha), which consequently reduces the site development capacity to 430 units (101 unit reduction from 531 units).

6. In terms of the use of the Density Matrix EXAM 36 stated that Site 5 – Edgware Hospital – 2.87 ha site with good PTAL supporting Central densities of 170 units per ha. Assumption that 25% of site is non-residential. $2.87 \times 170/100 \times 75 = 366$ units.
7. MM323 provides a correction to the Site Area (from 2.87 ha to 5.9ha) as agreed with NHS Property Services in EB_SoCG_08. The indicative capacity has therefore increased as a consequence. MM323 was not reflected in the explanation of housing numbers in EXAM36 which also incorrectly states that Site 5 has a Central context.
8. The actual density classification for this site is a lower limit Urban context (i.e. 45-120 units per ha). This has been justified on the grounds of the site's PTAL rating, the character of the surrounding area and its location on the periphery of Burnt Oak Broadway. It is characterised predominantly by a mix of low rise, two, three and four storey buildings in a variety of uses, including residential, business, retail and community services. The resultant indicative capacity is therefore calculated as follows: $(5.9 \times 120/100 \times 75 = 531) \times 0.81$ (i.e. percentage of developable site area after deduction of Flood Zone 3b) = 430 units. NB Figure was rounded down rather than up.

Proposed modifications:

Retain MM321, MM322(revised) and MM323

Indicative Capacity:

~~366~~ 430

Justification:

There is potential to make more efficient use of this relatively low-density location for housing while maintaining the hospital uses on site.

9. The Level 2 SFRA and supporting Technical Note conclude that the site passes the Exceptions Test as there are no reasonable alternatives to this site with similar capacity and in close proximity within flood zones with a lower risk of flooding and that the site can be developed safely with regards to flood risk. It recommends avoiding development within Zone 3b which is largely concentrated closer to the Silk Stream but suggests that flood resilience measures and compensatory flood storage equal to or exceeding flood depths will be required to offset development. Without prejudice, any forthcoming scheme must be accompanied by a detailed site-specific Flood Risk Assessment that assesses flood risk from all sources and provides detailed mitigation and safe access and egress.
10. Given the findings and recommendations of the Level 2 SFRA and Technical Note, it is not considered necessary to significantly limit the capacity of the site. A revision to the developable area of site has been made, reducing this by approximately 19% (i.e. omitting the area within Flood Zone 3b).

Site Requirements and Development Guidelines:

Revision to MM322

11. Tall (but not very Tall) Buildings may be appropriate, however, all tall building proposals will be subject to a detailed assessment of how the proposed building relates to its surroundings, ~~(with height of neighbouring buildings being of foremost consideration)~~ responds to topography, contributes to character, relates to public

realm, natural environment and digital connectivity. Further guidance will be provided by the Designing for Density SPD.

Site 6: Watling Avenue car park & market – investigate what consequential changes, if any, follow from proposed removal of site 6 (maps, figures etc.)

12. The removal of Site 6 (Watling Avenue Car Park & Market) would result in a net reduction of approximately 160 residential units. This reduction (through MM324) was reflected in the EXAM10 housing trajectory published in August 2022. As a consequence of its removal from the Schedule of Proposals – reference to Site 6 will also be removed from the Summary Table (reflected by MM313) and the Borough Sites Map. These consequential changes will be reflected in the Main Modifications.

Proposed modifications:

(MM324) Removal of site 6 Watling Avenue Car Park & Market from the Annex 1 Site Proposals Schedule.

Site 7: Beacon Bingo – consider changing site name to reflect occupier and / or future proof

13. The site is no longer occupied by Beacon Bingo. The current operator is Merkur Bingo, however in the interest of future proofing the site, it would be logical to omit reference to any past/current occupier and to use only the site address as the name, i.e. Bingo Hall, 200 Cricklewood Broadway Cricklewood NW2 3DU. The reference to the Cricklewood Growth Area, can be omitted as this is covered in the 'site requirements and development guidelines'.

Proposed modifications:

Retain MM325 and MM326

Site name:

~~Beacon Bingo~~ Bingo Hall Cricklewood

Site 7: Beacon Bingo – use 132 allocation rather than Exam 36 figure (Round down density matrix calculation). Consider whether a more cautious approach should be adopted with regards to current use of upper limit density matrix calculation figure applied to the site, taking account constraints that need to be overcome (including extant permission on opposite side of road and heritage)

14. This matter is addressed in the following section in response to the Inspector's request for a broader reflection on the application of the central density classification of the density matrix.

Broader reflection on application of central density matrix to all Annex 1 sites (in particular sites 7, 8, 11, 12 and 13)

Site 7 – Beacon Bingo:

15. Upon further review of the site and its surrounding context, it is considered that an 'Urban' density classification for the site would be more accurate than the 'Central' density classification that has been applied.
16. The predominant heights of buildings within the locality are between three and four stories; much of the current building footprints local to the site are also traditional linear terraces; and the site does not fall within 800 metres walking distance of an International, Metropolitan or Major town centre. Accordingly, its location and surrounding context are not synonymous with what would be expected within a 'Central' density area. The site is therefore better characterised as being 'Urban' in its density classification.
17. In terms of the use of the Density Matrix EXAM 36 stated that Site 7 – Beacon Bingo. 0.47 ha site with high PTAL supporting highest Central densities of 405 units per ha. Assumption that 30% of site is non-residential. $0.47 \times 405 / 100 \times 70 = 133$ units. NB Figure was rounded up rather than down to 132.
18. Adjusting the numbers within the density matrix model in light of the amended 'Urban' density classification would result in an overall net reduction of 47 units from the current figure – i.e. reducing from 132 units down to 85 units. This is within the upper limits of the Urban density classification within the density matrix.
19. The north-western-most boundary of the site sits adjacent to the Railway Terraces Conservation Area, and although this interaction occurs on a smaller, narrower section of the site there is a need for the site capacity to take account of the significance and special interest of the Conservation Area which has several Locally Listed buildings. In the interest of mitigating against any potential harm to the setting of this Conservation Area the Council consider that a further reduction to the site capacity by 8 units (circa. 10%) is necessary. This aligns with the proviso, as stated within the site-specific development guidelines of the Annex 1 – Schedule of Site Proposals, that the design must be mindful of local context. Heights in particular on the north-west portion of the site should respect the adjacent heights of those properties in the Railway Terraces Conservation Area. The specific adjustment for the Conservation Area as a site constraint results in a total site capacity of 77 units.
20. To clarify, the amended site capacity has been calculated as follows: $(0.47 \times 260 / 100 \times 70) \times 0.90 = 77$ units. NB Figure was rounded down rather than up.
21. Extant planning permission (ref: 17/0233/FUL) at 194 - 196 Cricklewood Broadway for "Redevelopment of site to provide a 6 storey building comprising 3,457sqm of Class A1 use (food store) at ground floor level and 96 self-contained flats (Class C3) at first to fifth floor levels including basement car parking, cycle parking, refuse stores and a single storey car parking deck" is noted. However, further adjustments to Site No. 7's capacity in light of this extant permission are not considered to be necessary. There is a circa. three lane-width carriageway with public footway between them, ensuring adequate spacing between buildings therefore there are no significant physical constraints.
22. The Council proposes that changes to the density and number of indicative units is reflected in a proposed modification.

Proposed modifications:

Retain MM325 and MM326 (revised)

Context:

Central Urban

Indicative residential capacity:

432 77

Site Requirements and Development Guidelines:

Revision to MM326

Tall buildings may be appropriate, however, all tall building proposals will be subject to a detailed assessment of how the proposed building relates to its surroundings, ~~(with height of neighbouring buildings being of foremost consideration)~~ responds to topography, contributes to character, relates to public realm, natural environment and digital connectivity. Further guidance will be provided by the ~~Building Heights~~ Designing for Density SPD. The north-western-most boundary of the site sits adjacent to the Railway Terraces Conservation Area; although this interaction occurs on a smaller, narrower section of the site there is a need for the design to respect the adjacent character and heights of those properties in the Railway Terraces Conservation Area which comprises of a large collective of Locally Listed dwellinghouses.

Site 8 – Broadway Retail Park

23. The Secretary of State has called in planning application : 20/3564/OUT (Proposal: - Outline planning application (including means of access with all other matters reserved) for the demolition of existing buildings and the comprehensive phased redevelopment of the site for a mix of uses including up to 1049 residential units (Use Class C3), and up to 1200 sqm of flexible commercial and community floorspace (Use Classes A3/B1/D1 and D2) in buildings ranging from 3 to 18 storeys along with car and cycle parking landscaping and associated works) which concerns the site in question. The formal call-in letter from the Secretary of State can be found [here](#).
24. The Planning Officer recommendation ([B&Q Broadway Retail Park Cricklewood Lane London NW2 1ES – 20/3564/OUT \(Childs Hill\) - Committee Item 7](#)) to approve the scheme (subject to conditions and a legal agreement securing financial and non-financial obligations) is a material consideration. The Council's Strategic Planning Committee's initial resolution to grant permission based on the recommendation is also a material consideration ([9th September 2021 SPC meeting minutes](#)), together with the subsequent overturn of this resolution following a further consideration by the Council's recently changed administration and subsequent revised Committee membership ([Officer Report & 8th November 2022 SPC Meeting Minutes – Committee Item 8](#)). Notwithstanding, given that the power to make a decision at this stage is expressly with the Secretary of State, and the LPA's judgement of the application scheme's residential unit numbers was predicated on an indicative capacity number that is now being reviewed, it is considered that the weight that can

- be afforded to the previous recommendation and both resolutions of the Council's Strategic Planning Committee, can only be limited.
25. Upon further review of the site and its surrounding context, it is considered that an 'Urban' density classification for the site would provide a more accurate description than the 'Central' density classification set out in the Reg 19 Plan. This is consistent with the approach set out for Proposal Site no. 7 – Beacon Bingo.
 26. The predominant heights of buildings within the locality are between three and four stories; much of the current building footprints local to the site are traditional linear terraces; and the site does not fall within 800 metres walking distance of an International, Metropolitan or Major town centre. Accordingly, its location and surrounding context are not strictly synonymous with what would be expected within a 'Central' density area. The site would therefore be more accurately characterised as being 'Urban' in its density classification.
 27. In terms of the use of the Density Matrix EXAM 36 stated that Site 8 – Broadway Retail Park – 2.77 ha site with high PTAL supporting highest Central densities of 405 units per ha. Assumption that 10% of site is non- residential. $2.77 \times 405 / 100 \times 90 = 1,010$ units. NB Number was rounded up rather than down to 1,007 units
 28. Adjusting the numbers within the density matrix model in light of the amended 'Urban' density classification would result in an overall net reduction of 360 units from the current figure – i.e. reducing from 1007 units down to 648 units.
 29. The western part of the site sits diagonally adjacent to the Railway Terraces Conservation Area. There is a need for the site capacity to take account of the significance and special interest of the Conservation Area, which comprises of a large collective of Locally Listed buildings. In the interest of mitigating against any potential harm to the setting of this Conservation Area the Council consider that a further reduction to the site capacity by 65 units (circa. 10%) is necessary. This reflects that the design must be mindful of local context. Heights in particular on the northern portion of the site should respect the adjacent heights of those properties in the Railway Terraces Conservation Area. The specific adjustment for the Conservation Area as a site constraint results in a total site capacity of 583 units.
 30. To clarify, the amended site capacity has been calculated as follows: $(2.77 \times 260 / 100 \times 90) \times 0.9$ (10% reduction for Conservation Area) = 583 units. NB Figure was rounded down rather than up.
 31. The presence of the extant planning permission (ref: 17/0233/FUL) at 194 - 196 Cricklewood Broadway for "Redevelopment of site to provide a 6 storey building comprising 3,457sqm of Class A1 use (food store) at ground floor level and 96no. self-contained flats (Class C3) at first to fifth floor levels including basement car parking, cycle parking, refuse stores and a single storey car parking deck" is noted. Further adjustments to Proposal Site No. 8's capacity in light of this extant permission are not considered to be necessary. There is sufficient space within the site to achieve a quality design-led scheme that avoids any significant physical, functional or amenity conflicts with the adjoining neighbouring site.
 32. In addition to considering the density classification for Site 8 Inspector Wildgoose has sought further clarification on the delivery trajectory (EXAM 10), in particular with regards to the forecast provision of 400 dwellings in first 5 years, in light of no extant permissions at this site and inquiry scheduled for Feb 2023. The Council have reconsidered the delivery trajectory, and are of the view that the trajectory as currently proposed, without prejudice to the current Call In , is unlikely to be achievable. The dates will be adjusted accordingly in the revised housing trajectory.
 33. The Council proposes that changes to the density, number of indicative units, and development timeframe is reflected in a proposed modification to the plan.

Proposed modifications:

Retain MM327 and MM328 (revised)

Development timeframe :

~~0-5 years~~ 6-10 years

Context:

Central Urban

Indicative residential capacity:

4007 583

Site Requirements and Development Guidelines:

Revision to MM328

Good public transport access, proximity to town centre facilities and the potential for tall buildings mean that significant intensification of the site is possible. Tall buildings may be appropriate, however, all tall building proposals will be subject to a detailed assessment of how the proposed building relates to its surroundings (including ~~with height of neighbouring buildings~~ the Railway Terraces Conservation Area being of foremost consideration) responds to topography, contributes to character, relates to public realm, natural environment and digital connectivity. Further guidance will be provided by the Designing for Density SPD.

Site 11 - KFC / Burger King Restaurant, Edgware, NW9 5EB

34. Upon further review of the site and its surrounding context, it is considered that an 'Urban' density classification for the site would be more accurate than the 'Central' density classification that has been applied.
35. The A5 is a Major Thoroughfare, where there are a number of taller buildings along the road without a consistent hierarchy of heights. However, whilst there are taller buildings within the locality, lower rise development is generally more prevalent away from the A5. The site in question also does not fall within 800 metres walking distance of an International, Metropolitan or Major town centre. Therefore, the site more accurately reflects the character of an 'Urban' density location.
36. In terms of the use of the Density Matrix EXAM 36 stated that Site 11 – KFC / Burger King Restaurant – 0.44 ha site with high PTAL supporting highest Central densities of 405 units per ha. Assumption that 10% of site is non-residential. $0.44 \times 405 / 100 \times 90 = 160$ units. NB Number was rounded down from 162 units. rather than up.
37. Adjusting the numbers within the density matrix model in light of the amended 'Urban' density classification would result in an overall net reduction of 60 units from the current figure – i.e. reducing from 162 units down to 102 units.
38. To clarify, the amended site capacity has been calculated as follows: $0.44 \times 260 / 100 \times 90 = 102$ units. NB Figure was rounded down rather than up.

39. Notwithstanding the adjusted figure, and the fact the site is with Colindale Growth Area, where tall buildings may be appropriate, it is important to note that to the rear of the KFC site (north-east) on Annesley Avenue, there are a row of two storey residential dwellings. This will impact the potential height that is possible within this part of the site. Taller elements will need to be concentrated on the other half of the site (closer to Merit House) but must still be sensitive to local context.
40. The presence of Conservation Areas within 490-500 metres of the site are noted, however these distances are such that proposed development, if sensitively designed taking account of the site specific constraints identified, is unlikely to be harmful to the significance or special interest of these heritage assets. As such, adjustment factors for the site capacity are not considered to be necessary.
41. It is considered that the above addresses the examining Inspector's later query on clarification of figures for allocation on Site 11.
42. The Council proposes that changes to the density and number of indicative units is reflected in a proposed modification to the Plan.

Proposed modifications:

Retain MM333 and MM334 (revised)

Development timeframe :

~~0-5 years~~ 6-10 years

Context:

~~Central~~ Urban

Indicative residential capacity:

~~462~~ 102

Site Requirements and Development Guidelines:

Revision to MM334 (1st sentence)

Tall buildings may be appropriate, however, all tall building proposals will be subject to a detailed assessment of how the proposed building relates to its surroundings, ~~(with height of neighbouring buildings being of foremost consideration)~~ responds to topography, contributes to character, relates to public realm, natural environment and digital connectivity.

Site 12 – McDonalds Site, 157 Colindeep Lane

43. Upon further review of this site and its surrounding context, it is considered that an 'Urban' density classification for the site would be more accurate than the 'Central' density classification that has been applied.
44. The A5 is a Major Thoroughfare, where there are a number of taller buildings above four stories in height dotted along the road without a consistent hierarchy of heights. There are a cluster of taller buildings within this locality to the north and north-west, however, there is also significant lower rise development to the east and south /

south-east. The site in question does not fall within 800 metres walking distance of an International, Metropolitan or Major town centre. Despite this part of the A5 featuring a concentrated cluster of taller buildings and larger building footprints comprising commercial, residential and mixed uses, the site itself is on the edge of the cluster, where there is significant lower rise residential areas beyond; as such, the site more accurately reflects the character of an 'Urban' density location.

45. In terms of the use of the Density Matrix EXAM 36 stated that Site 12 – McDonalds Restaurant – 0.48 ha site with high PTAL supporting highest Central densities of 405 units per ha. Assumption that 10% of site is non-residential. $0.48 \times 405 / 100 \times 90 = 175$ units
46. Adjusting the numbers within the density matrix model in light of the amended 'Urban' density classification would result in an overall net reduction of 63 units from the current figure – i.e. reducing from 175 units down to 112 units.
47. To clarify, the amended site capacity has been calculated as follows: $0.48 \times 260 / 100 \times 90 = 112$ units. NB Figure was rounded down rather than up.
48. Notwithstanding the adjusted figure, it is important to note that to the east and south-east of the site there are 2 and 3 storey low rise single family dwellinghouses immediately adjoining the site boundary. This will impact the potential height that is possible within the site. The design of any development will need to be sensitive to local context, in terms of its height, bulk and massing.
49. The presence of Conservation Areas within circa 250-500 metres of the site are noted, however these distances are such that proposed development, if sensitively designed taking account of the site specific constraints identified, is unlikely to be harmful to the significance or special interest of these heritage assets. As such, adjustment factors for the site capacity are not considered to be necessary.
50. The Council proposes that changes to the density and number of indicative units is reflected in a proposed modification to the plan.

Proposed modifications:

Retain MM335, MM336

Context:

~~Central~~ Urban

Development Timeframe:

~~0-5 years~~ 6-10 years

Indicative residential capacity:

~~175~~ 112

Site Requirements and Development Guidelines:

Revision to MM336 – 1st sentence

Tall buildings may be appropriate, however, all tall building proposals will be subject to a detailed assessment of how the proposed building relates to its surroundings, ~~(with height of~~

neighbouring buildings being of foremost consideration) responds to topography, contributes to character, relates to public realm, natural environment and digital connectivity.

Site 13 - Public Health England, 61 Colindale Avenue, NW9 5EQ/HT

51. The Inspector has asked the Council to consider a broader reflection on the application of central density matrix to all Annex 1 site (in particular sites, 7, 8 11, 12 and 13). Consideration has been given to sites 7, 8, 11, and 12, which have been reviewed and adjusted accordingly above. Site 13 was already classified as an urban density, and not Central. It is therefore not clear whether the Inspector requires the Council to consider re-classifying the site as 'central' and therefore whether a greater number of units might be appropriate, or whether the upper or lower limits of the Urban density classification need to be considered.
52. Notwithstanding the question about density context, a later point of clarification sought by the Inspector queried the change in indicative numbers, developable area of the site and the subsequent impacts on site capacity based on existing constraints (i.e. flood risk and TPOs on site). For clarity the response to these queries are all covered in this section.
53. The site is located within the Colindale Growth Area. Much of the surrounding area has been developed for residential and mixed uses. It is therefore considered that the density of the site could be retained in the middle limit of, or adjusted to the upper limits of, the Urban classification, owing to the character of the surrounding context.
54. In terms of the use of the Density Matrix EXAM 36 stated that Site 13 – Public Health England – 4.77 ha site with medium PTAL supporting highest Urban densities of 170 units per ha. Assumption that 5% of site is non residential. $4.77 \text{ ha} \times 170/100 \times 95 = 770$ units which is lower than the Reg 19 capacity of 794 units.
55. As part of the Regulation 19 stage of the Local Plan's preparation, the Council undertook a Level 2 Strategic Flood Risk Assessment (SFRA) on its Schedule of Site Proposals. A Technical Note (Local Plan Schedule of Site Proposals Flood Risk - Sequential and Exception Test - TECHNICAL NOTE – February 2022) to support the Level 2 SFRA was also produced to established whether the sites should be omitted or retained within the emerging Local Plan's Site Proposals Schedule. The Level 2 SFRA and technical note identify that Flood Zone 3a occupies 26% of the site, and within this, Flood Zone 3b also occupies 21%. The SFRA Level 2 assessment and Technical Note (EB_GI_18) conclude that there are no reasonable alternatives to this site that provide a similar capacity, and that the site could be developed safely with regards to flood risk by avoiding vulnerable development within the flood plain – i.e. concentrating vulnerable development to the north and middle of the site, and avoiding the access road. Accordingly, it is considered that the site passes the Exceptions Test.
56. Notwithstanding the findings of the SFRA, it is considered unnecessary to redefine the red line boundary of site, as less-vulnerable / non-vulnerable functions and uses can still be incorporated into the flood affected parts of the site (e.g. such as parking – as it is currently used now; or, improved landscaping and biodiversity provisions). Instead, it would be sensible to base the density matrix capacity calculations (for vulnerable development, such as housing) on the area unaffected by flood risk. In this case, the current site area is 4.77ha, however, erring on the side of caution, a circa 30% (rounding up from the 26% flood affected area) reduction to this area would equate to a developable area of approximately 3.34ha. On the assumption that the site is classified as an upper-limit Urban density, this equates to a revised residential capacity of 539 units (also inclusive of 5% non-residential assumption) – a

reduction of 255 units, down from 794 units as currently published in Annex 1. Removing the 30% flood affected area from the developable limits, would also ensure that all of the trees within the Group TPO, which fall within the same area would be afforded a further degree of protection from development. In addition, the Silk Stream which is regarded as a Locally Significant Site of Borough Importance in terms of Nature Conservation would also benefit from a generous buffer that this would provide.

57. To clarify, the amended site capacity has been calculated as follows: $(4.77 \times 170 / 100 \times 95) \times 0.7$ (i.e. percentage of developable site area after deduction of Flood Zone 3b) = 539 units. NB Figure was rounded down rather than up.
58. Nevertheless, given that the flood zone extends over the point of current access to the site, consideration would need to be given to alternative safe means of access and escape to / from the site in the event of a flood event. Additional access arrangements could be made by connecting the site to the adjacent north/north-east residential site (former Colindale Hospital site). The site requirements and development guidelines of the Schedule of Site Proposals should be updated to provide further guidance.
59. Overall, in light of the adjustments to the developable area of site, the resultant residential capacity of the site would result in 539 units, with provision for community use, that could feasibly be achieved on site through a design-led approach that responds sensitively to the surrounding context.
60. The Council proposes that changes to the number of indicative units is reflected in a proposed modification to the plan.

Proposed modifications:

Retain MM337, MM338(revised)

Context:

~~Central~~ Urban

Indicative residential capacity:

~~794~~ 539

Justification:

The Level 2 SFRA and Technical Note identify that Flood Zone 3a occupies 26% of the site, and within this, Flood Zone 3b also occupies 21%. It is concluded that there are no reasonable alternatives to this site that provide a similar capacity; also that the site could be developed safely with regards to flood risk by avoiding vulnerable development within the flood plain – i.e. concentrating vulnerable development to the north and middle of the site, and avoiding the access road. Proposals should avoid the parts of the site that is Flood Zone 3b (functional flood plain).

Site Requirements and Development Guidelines:

Revision to MM338 – 1st sentence

Tall buildings may be appropriate, however, all tall building proposals will be subject to a detailed assessment of how the proposed building relates to its surroundings, ~~(with height of neighbouring buildings being of foremost consideration)~~ responds to topography, contributes to character, relates to public realm, natural environment and digital connectivity.

New para

The flood zone extends over the point of current access to the site, consideration must be given to alternative safe means of access and escape to the site in the event of a flood event. Additional access arrangements via neighbouring sites to the north/north-east should be explored. Mature trees on the site are protected by a group TPO.

Other Sites Classified as 'Central'

Site 59 - Central House, 1 Ballards Ln Finchley N3 1UX

61. The Council has reconsidered the application of the Central density classification of this site and is of the view that it should be reclassified as an upper urban density, in line with the Finchley Central station. Finchley Central is a main district town centre and there are a variety of buildings between 3 and 9 storeys nearby. The site falls within PTAL 6a, close to all town centre services and amenities, making it a suitable location for an upper limit urban density residential development.
62. In terms of the use of the Density Matrix EXAM 36 reconsidered the Central context in the Reg 19. EXAM 36 stated that Site 59 – Central House – 0.15 ha site with high PTAL supporting more appropriate Urban densities of 260 units per ha. Assumption that 20% is non residential $0.15 \times 260/100 \times 80 = 31$ units
63. The site has previously benefited from a grant of prior approval from office use to residential use - under the planning application referenced: 16/3722/PNO (decided: 19.07.2016). This scheme made provision for 42 self-contained 1 bed units. Notwithstanding the fact that the upper limit of urban density matrix would yield 31 units (with an assumption for circa. 20% non-residential use), it is considered that if a complete redevelopment of the site were to come forward incorporating the full extent of the site, then without prejudice and subject to a design led approach that respects local context, there would be no reason why a scheme with 42 units of mixed sizes coupled with ground floor commercial development, could not be achieved on this site.
64. Site 59 is located more than 100m from the Finchley Church End Conservation Area and circa 150m from a Grade II Listed building, both to the south/south-west. The distances are such that any future development of appropriate size, mass and scale on the site is unlikely to affect the setting or significance of these designated heritage assets. Accordingly, there would be no adjustment factor for the central density capacity calculated. Finchley Central's station building opposite is locally listed, and whilst this is not statutorily significant by itself, suitable regard for its value must be had in the overall planning balance for any forthcoming scheme.
65. Overall, in light of the above, the Council is satisfied that the site should be reclassified as an upper limit urban density, with an indicative capacity of 42 residential units, with commercial mixed use, through a design-led approach that is sensitive to the local context. This aligns with the Inspectors additional request for the indicative capacity to reflect the number of units granted through the Prior Approval application.

66. The Council proposes that changes to the density and number of indicative units is reflected in a proposed modification to the plan.

Proposed modifications:

Retain MM385, MM386 (revised)

Site Name/Description:

Central House, 7-9 Ballards Lane & 9a Albert Place (Finchley Central Town Centre)

Context:

Central Urban

Indicative residential capacity:

48 42

Site Requirements and Development Guidelines:

Revision to MM386 – 1st sentence

Tall (but not Very Tall) Buildings may be appropriate, however, all tall building proposals will be subject to a detailed assessment of how the proposed building relates to its surroundings, ~~(with height of neighbouring buildings being of foremost consideration)~~ responds to topography, contributes to character, relates to public realm, natural environment and digital connectivity.

North Finchley Town Centre (Sites 57, 59, 60, 61, 64 and 66)

67. With regard to the North Finchley Town Centre sites, the Council has reconsidered the application of the Central density classification of this site and maintains that it should remain within the upper limits of the Central density classification. Although not within a major town centre, its immediate context, particularly in the central gyratory area (containing the Arts depot and bus garage), is characterised with taller buildings with large footprints. There are traditional domestic scale properties on the side streets, however, the majority of these sites relate to and / or read as part of high-rise aspect of North Finchley Town Centre.

68. For North Finchley, the Council has adopted a North Finchley Town Centre Framework SPD (“NFTCF SPD”, February 2018) (EB_E_19). The NFTCF SPD identifies issues and place-specific opportunities within the town centre and has established a set of development principles to help guide and deliver the Council’s vision for improvement and enhancement of North Finchley Town Centre. The majority of the NFTC sites are designated as Key Opportunity sites within the SPD.

69. Whilst the NFTCF SPD (2018) provides guidance for indicative heights of development on sites that are designated as Key Opportunity Sites, it does not provide an indicative number of units. Nevertheless, the overarching objectives of

this adopted framework is to support the delivery of housing in North Finchley and further the creation of a sustainable local economy, through improvements and enhancement to the public realm and the retail, services and facilities offering. It should also be noted that Annex 1 of the London Plan (2021) identifies North Finchley as a District Centre with 'high' potential for residential growth.

70. Of significant material consideration to the future re-development of North Finchley Town Centre is that the Council agreed to enter into Site Assembly and Land Agreements with a development partner - Regal JP North Finchley Ltd - a joint-venture established by Joseph Partners and Regal London in October 2021. The Site Assembly Agreement has been added to the Examination website. The Agreement requires Regal JP North Finchley Limited to pursue a planning application for the land and some of the buildings identified within the defined NFTC SPD area, and the Land Agreement allows the development partner to bring forward the regeneration of all these sites in manageable phases. The Council and Regal JP North Finchley Limited have engaged extensively over the redevelopment of most of the Key Opportunity Sites (KOS) identified in the SPD (KOS1 (site 61), KOS2, (site 57) KOS 3(site 60), KOS4(site 66) and KOS6(site 58) and enhancement of the wider town centre environment. Therefore, there is strong evidence to demonstrate that the SPD's vision for the Key Opportunity Sites and the Town Centre as whole will be delivered as a comprehensive phased package which will also meet the London Plan's identification of North Finchley as being a District Centre with high potential for residential growth.

The Inspector has asked about the progress of the Statement of Common Ground with the Development Partner of the North Finchley regeneration project. A Statement of Common Ground between the Development Partner and the Council is expected to be signed shortly and published on the website

Site 57 - 309-319 Ballard's Lane North Finchley N12 8LY

Retain MM381, MM382 (revised)

71. The site is designated ('Key Opportunity Site 2') for re-development within the North Finchley Town Centre Framework SPD ("NFTCF SPD", February 2018).
72. The Council considers that through a design-led approach, informed by local context (including character and infrastructure), material planning considerations and a robust, justified balance of public benefits, the site could feasibly deliver circa 130 residential units, together with commercial floorspace.
73. NB: In addition to the broader reflection on the Central density classification of Site 60, the Inspector also seeks further clarification on any ownership issues; and, the application of the Central densities of the Density Matrix and the design led assumptions of the North Finchley SPD.
74. The application of central densities and design-led factors on Site Allocations within North Finchley has been given consideration above in the broader reflection on Central density classifications earlier in this note.
75. The Development Partner for the site has confirmed that the site is not owned by them or the Council, however, it is the subject of on-going discussions and negotiations with the relevant landowners with the aim of securing the necessary land via private negotiations. However, the SPD confirms that the Council will consider the use of its compulsory purchase powers to assemble sites, where

appropriate. As a result, the Development Partner and Council are confident in the deliverability of the sites that form part of the SPD.

Proposed Modifications

Site Requirements and Development Guidelines:

Revision to MM382 – 1st sentence

Tall (but not Very Tall) Buildings may be appropriate, however, all tall building proposals will be subject to a detailed assessment of how the proposed building relates to its surroundings, ~~(with height of neighbouring buildings being of foremost consideration)~~ responds to topography, contributes to character, relates to public realm, natural environment and digital connectivity.

Site 60 - Finchley House, High Rd & Kingsway North Finchley N12 0BT

76. The site is designated ('Key Opportunity Site 3') for re-development within the North Finchley Town Centre Framework SPD ("NFTCF SPD", February 2018).
77. The Council considers that through a design-led approach, informed by local context (including character and infrastructure), material planning considerations and a robust, justified balance of public benefits, the site is capable of delivering 202 residential units, along with commercial floorspace.
78. NB: In addition to the broader reflection on the central density classification of Site 60, the Inspector also seeks further clarification on any ownership issues; and, the application of the central densities of the Density Matrix and the design led assumptions of the North Finchley SPD.
79. The application of central densities and design-led factors on Site Allocations within North Finchley has been given consideration above in the broader reflection on Central density classifications earlier in this note.
80. The Development Partner for the site has confirmed that the site is not owned by them or the Council, however, it is the subject of on-going discussions and negotiations with the relevant landowners with the aim of securing the necessary land via private negotiations. Also, the SPD confirms that the Council will consider the use of its compulsory purchase powers to assemble sites, where appropriate. As a result, the Development Partner and Council are confident in the deliverability of the sites that form part of the SPD. This is also reflected in a proposed modification to the timeframe for development of the site.

Proposed modifications

Retain MM387, MM388 (revised)

Development Timeframe

~~0-5-6~~ -10 years

Site requirements and development guidelines

81. Tall (but not Very Tall) Buildings may be appropriate within the boundaries of the Town Centre however all tall building proposals will be subject to a detailed

assessment of how the proposed building relates to its surroundings (~~with height of neighbouring buildings being of foremost consideration~~) responds to topography, contributes to character, relates to public realm, natural environment and digital connectivity. Further guidance will be provided by the Designing for Density SPD.

Site 61 - Tally Ho triangle, High Rd, Ballards Lane & Kingsway North Finchley N12 0GA/0BP

Retain MM389, MM 390 (revised)

82. The site is designated ('Key Opportunity Site 1') for re-development within the North Finchley Town Centre Framework SPD ("NFTCF SPD", February 2018).
83. The Council considers that through a design-led approach, informed by local context (including character and infrastructure), material planning considerations and a robust, justified balance of public benefits, the site could feasibly deliver circa 281 residential units, together with leisure, retail and community floorspace.
84. NB: In addition to the broader reflection on the central density classification of Site 61, the Inspector also seeks further clarification on any ownership issues.
85. The Development Partner for the site has confirmed that the site is not owned by them or the Council, however, it is the subject of on-going discussions and negotiations with the relevant landowners with the aim of securing the necessary land via private negotiations. Also, the SPD confirms that the Council will consider the use of its compulsory purchase powers to assemble sites, where appropriate. As a result, the Development Partner and Council are confident in the deliverability of the sites that form part of the SPD.

Proposed Modifications

Site Requirements and Development Guidelines:

Revision to MM390 – 1st sentence

Tall (but not Very Tall) Buildings may be appropriate, however, all tall building proposals will be subject to a detailed assessment of how the proposed building relates to its surroundings, (~~with height of neighbouring buildings being of foremost consideration~~) responds to topography, contributes to character, relates to public realm, natural environment and digital connectivity.

Site 64 - 744-776 High Rd North Finchley N12 9QG/9QS

Retain MM394, MM395 (revised)

86. The site is designated ('Key Opportunity Site 5') for re-development within the North Finchley Town Centre Framework SPD ("NFTCF SPD", February 2018).
87. The Council considers that through a design-led approach, informed by local context (including character, local heritage and infrastructure), material planning considerations and a robust, justified balance of public benefits, the site could

feasibly deliver circa 175 residential units, together with retail and commercial floorspace.

88. Although the development partner is not currently considering the redevelopment of Key Opportunity Site 5 within the NFTC SPD, the delivery of the other Key Opportunity Sites, together with the public realm improvements would aid in unlocking the potential for Site 64 (Key Opportunity Site 5) as well as other development potential within the North Finchley Town Centre.
89. NB: In addition to the broader reflection on the central density classification of Site 64, the Inspector also seeks further clarification on any ownership issues. The Development Partner for the site has confirmed that the site is not owned by them or the Council, however, it is the subject of on-going discussions and negotiations with the relevant landowners with the aim of securing the necessary land via private negotiations. Also, the SPD confirms that the Council will consider the use of its compulsory purchase powers to assemble sites, where appropriate. As a result, the Development Partner and Council are confident in the deliverability of the sites that form part of the SPD.

Proposed Modifications

Site Requirements and Development Guidelines:

Revision to MM395 – 1st sentence

Tall (but not Very Tall) Buildings may be appropriate, however, all tall building proposals will be subject to a detailed assessment of how the proposed building relates to its surroundings, (with height of neighbouring buildings being of foremost consideration) responds to topography, contributes to character, relates to public realm, natural environment and digital connectivity.

Site 66 - East Wing, 672-708 High Rd North Finchley N12 9PT/9QL

Retain MM397, MM396(revised)

90. The site is designated ('Key Opportunity Site 4') for re-development within the North Finchley Town Centre Framework SPD ("NFTCF SPD", February 2018).
91. By means of a design-led approach, informed by local context (including character, local heritage and infrastructure), material planning considerations and a robust, justified balance of public benefits, the site could feasibly deliver circa 125 residential units, together with retail and commercial floorspace.
92. NB: In addition to the broader reflection on the central density classification of Site 66, the Inspector also seeks further clarification on any ownership issues; the progress of the Statement of Common Ground with the Development Partner of the North Finchley regeneration project; and a reflection on unit numbers, including impact implementation of 15/06414/FUL conversion to 21 flats and local heritage asset.
93. The Development Partner for the site has confirmed that the site is not owned by them or the Council, however, it is the subject of on-going discussions and negotiations with the relevant landowners with the aim of securing the necessary

land via private negotiations. Also, the SPD confirms that the Council will consider the use of its compulsory purchase powers to assemble sites, where appropriate. As a result, the Development Partner and Council are confident in the deliverability of the sites that form part of the SPD.

94. 15/06414/FUL relates to a grant of planning permission at 706 High Road. The scheme has been implemented. The Council cannot see any reason why a comprehensive redevelopment of the site could not take place in accordance with the details within the site allocation. This is a sizeable parade, with scope for increased heights, given the presence of other taller buildings within the locality, such as the Arts Depot.
95. The locally listed heritage asset referred to relates to the frontage of 672 High Road, above Sea Rock Indian Bar and Restaurant, which is recognised for its “Aesthetic Merits, Group Value, Landmark Qualities, Social and Communal Value” – as per its local listing entry on the Council’s records. It is a material consideration, one which would attract a degree of weight in the event that the building were to be removed, however, this would need to be balanced with the relevant merits of any forthcoming scheme in the overall planning balance. The Council consider that it would be appropriate to modify the Site requirements and development guidelines of the site to establish a preference for retention of the building’s architectural features, where possible. Again, the Council cannot see any reason why a comprehensive redevelopment of the site could not take place, in light of the factors raised by the Inspector.
96. In light of the above, the Council consider that the indicative unit numbers as stated within the Annex 1 Site Proposals Schedule are achievable.

Proposed Modifications

Site Requirements and Development Guidelines:

Revision to MM396 – 1st sentence

Tall (but not Very Tall) Buildings may be appropriate, however, all tall building proposals will be subject to a detailed assessment of how the proposed building relates to its surroundings, ~~(with height of neighbouring buildings being of foremost consideration)~~ responds to topography, contributes to character, relates to public realm, natural environment and digital connectivity.

Site 27 - Edgware Town Centre (Edgware Growth Area)

Retain MM353, MM354 (revised)

97. The Council has reconsidered the application of the Central density classification of this site and maintains that it should remain within the Central density classification, with no changes to the indicative residential capacity.
98. The justification for this is that Policy SD8 (Town Centre Network) of the Mayor’s London Plan (2021), further supported by specific details set out within Annex 1 (Town Centre Network) of the same plan, indicate that the London Mayor considers Edgware to be classified as a Major town centre. Being a major town centre is one of

the criteria of the central classification within the density matrix, as is being highly accessible by public transport. Edgware meets both of these criteria. Annex 1 (Town Centre Network) of the London Plan also indicates that the site has a high residential growth potential.

99. The Council also recognises the growth potential of Edgware, and has adopted the Edgware Growth Area Supplementary Planning Document (adopted June 2021). This document was produced in consultation with local stakeholders and was subsequently shaped by the views and opinions of local people and businesses through this process. The Mayor's Good Growth Principles underpin the aspirations and objectives of the document, in particular Policy GG2 (Making the best use of land) of the London Plan, which expects the application of a design-led approach to determine the optimum capacity of sites. The document's vision recognises that residential development is critical to unlocking the full social and economic potential of the town centre and ensure that its offering is enhanced and maintained for the future of the community that it serves.
100. Of significant material consideration to the future re-development of Edgware Town Centre is that the Council agreed to enter into Planning Performance Agreement (PPA) with landowners Ballymore and Transport for London (TfL). The PPA seeks to inform a planning application across both land holdings and the Council has engaged extensively with both parties over the redevelopment of the land holdings which represent Key Sites (emerging Local Plan Annex 1 Sites 27 and 28) and enhancement of the wider town centre environment. Therefore, there is strong evidence to demonstrate that the SPD's vision for the Key Sites and the Town Centre as a whole will be delivered as a comprehensive phased package which will also meet the London Plan's envisaged high potential for residential growth.
101. In addition to the requested reflection on Site 27's central density matrix classification, the Inspector sought clarifications with regards to the site trajectory and a Main Modification with regards to very tall buildings (i.e. considering removal of part in brackets for MM354).
102. The trajectory will be updated, and reflected at the end of this note, taking account of the cumulative omissions and reductions.
103. The Council refers to its Note on Policy CDH04 with regards to locations that may be appropriate for Very Tall buildings.
104. The Council have reflected on MM 354 and acknowledges the merits in removing (with height of neighbouring buildings being of foremost consideration). Policy CDH04 sets the criteria for the consideration tall buildings across the Borough. It is not the intention of site proposals to change the interpretation of CDH04.

Proposed modifications to MM354 – 2nd sentence

Site requirements and development guidelines:

Tall buildings may be appropriate, however, all tall building proposals will be subject to a detailed assessment of how the proposed building relates to its surroundings (~~with height of neighbouring buildings being of foremost consideration~~)-responds to topography, contributes to character, relates to public realm, natural environment and digital connectivity.

Site 28 - Edgware Underground & Bus Stations (Edgware Growth Area)Retain MM355, MM356 (revised)

105. As with Site 27, Site 28 also falls within Edgware Town Centre and is a part of the adopted growth area. The Council has considered the application of the Central density classification of this site and maintains that it should remain within the Central density classification, with no changes to the indicative residential capacity.
106. The justification for this is that Policy SD8 (Town Centre Network) of the Mayor's London Plan (2021), further supported by specific details set out within Annex 1 (Town Centre Network) of the same plan, indicate that the London Mayor considers Edgware to be classified as a Major town centre. Being a major town centre is one of the criteria of the central classification within the density matrix, as is being highly accessible by public transport. Edgware meets both of these criteria. Annex 1 (Town Centre Network) of the London Plan also indicates that the site has a high residential growth potential.
107. The Council also recognises the growth potential of Edgware and has adopted the Edgware Growth Area Supplementary Planning Document (adopted June 2021). This document was produced in consultation with local stakeholders and was subsequently shaped by the views and opinions of local people and businesses through this process. The Mayor's Good Growth Principles underpin the aspirations and objectives of the document, in particular Policy GG2 (Making the best use of land) of the London Plan, which expects the application of a design-led approach to determine the optimum capacity of sites. The document's vision recognises that residential development is critical to unlocking the full social and economic potential of the town centre and ensure that its offering is enhanced and maintained for the future of the community that it serves.
108. Of significant material consideration to the future re-development of Edgware Town Centre is that the Council agreed to enter into Planning Performance Agreement (PPA) with landowners Ballymore and Transport for London (TfL). The PPA seeks to inform a planning application across both land holdings and the Council has engaged extensively with both parties over the redevelopment of the land holdings which represent Key Sites (emerging Local Plan Annex 1 Sites 27 and 28) and enhancement of the wider town centre environment. Therefore, there is strong evidence at present to demonstrate that the SPD's vision for the Key Sites and the Town Centre as a whole will be delivered as a comprehensive phased package which will also meet the London Plan's envisaged high potential for residential growth.
109. In addition to the requested reflection on Site 28's central density matrix classification, the Inspector sought clarifications on the site trajectory on the basis of developer's supply figures, and the rounding down of indicative units reference in Annex 1.
110. The trajectory will be updated, and reflected at the end of this note, taking account of the cumulative omissions and reductions.
111. The unit numbers for the site shall be rounded down from 2,317 to 2,316, as per the calculations within EXAM 36 which estimate the indicative capacity as follows: $8.17 \times 405/100 \times 70 = 2,316$ units. This change will be reflected in a proposed modification.
112. In addition, as with the review of Site 27 above, the Council have reflected on MM356 and acknowledges the merits in removing (with height of neighbouring buildings being of foremost consideration). Policy CDH04 sets the criteria for the

consideration tall buildings across the Borough. It is not the intention of site proposals to change the interpretation of CDH04.

113. The Council proposes that changes to the number of indicative units, and the site requirements and guidelines is reflected in a proposed modification to the plan.

Proposed modifications

Indicative residential capacity:

2317-2316

Site requirements and development guidelines (Revision to MM356- 2nd sentence):

Tall buildings may be appropriate, however, all tall building proposals will be subject to a detailed assessment of how the proposed building relates to its surroundings (~~with height of neighbouring buildings being of foremost consideration~~) responds to topography, contributes to character, relates to public realm, natural environment and digital connectivity.

Site 9: Colindeep Lane (adjacent to Northern Line) – investigate what consequential changes, if any, follow from proposed removal of site 9 (same as site 6)

114. It is acknowledged that the site is not readily ‘deliverable’ nor ‘developable’, owing to the physical and environmental constraints of the site.
115. The removal of Site 9 (Colindeep Lane) would result in a net reduction of approximately 128 residential units. This reduction (through MM329) was reflected in the EXAM10 housing trajectory published in August 2022. As a consequence of its removal from the Schedule of Proposals – reference to Site 9 will also be removed from the Summary Table (reflected by MM313) and the Borough Sites Map. These consequential changes will be reflected in the Main Modifications.

Proposed modifications:

(MM329) Removal of site 9 – Colindeep Lane from the Annex 1 Site Proposals Schedule.

Site 10: Douglas Bader Park Estate – consider whether allocation is still justified in light of grant of permission and site being under construction. Consequential changes to be reflected in housing trajectory

116. The site was granted planning permission on 18/03/2022 for: “*comprehensive redevelopment of the site comprising demolition of the existing buildings and re-provision of up to 753 residential dwellings (Use Class C3) in buildings of up to 9 storeys with associated car and cycle parking public and private open spaces ancillary structures, and all other necessary enabling works, roads and services*” under planning application reference 20/6277/FUL. As the scheme has commenced implementation, it is considered appropriate that the site should be removed from the Site Proposals Schedule in Annex 1.

117. Indicative capacity of 478 units replaced in Housing Trajectory by planning consent net increase in units

Proposed modifications:

Removal of the site from the Annex 1 Site Proposals Schedule

Consequential changes will be reflected in the Main Modifications.

Site 14: Sainsburys The Hyde – consideration of whether allocation is necessary / justified given permission implemented, and consequential changes reflected in housing trajectory

As the scheme has commenced implementation, it is considered appropriate that the site should be removed from the Site Proposals Schedule in Annex 1.

Proposed modifications:

Removal of the site from the Annex 1 Site Proposals Schedule.

Consequential changes will be reflected in the Main Modifications.

Include consideration of TfL request for further allocation at Colindale station. Consider delivery and implications of infrastructure delivery options for plan

118. The Council welcomes the recent award of £29.5m of Levelling Up funding for the redevelopment of Colindale Tube station. The redevelopment will increase station capacity, create step-free access and support sustainable growth. Since 2011, Colindale's population has grown by 70%, making the area around the station the second-fastest growing ward in London after the Stratford Olympic Park in Newham. The Council will continue to work with TfL to ensure redevelopment of the station proceeds with this financial support helping to overcome infrastructure delivery issues. The Council considers that the site does not merit a specific allocation within the Local Plan, as there are sufficient residential numbers provided by the current schedule of site proposals. Furthermore, the Council is of the view that there is sufficient scope through the wider policies of the draft plan to support re-development coming forward, subject to a satisfactory balance of planning considerations.

Broader reflection within Plan on ward boundary changes

The Council will ensure that new wards are reflected in the MMs at the Proposed Modifications stage.

Site 32: Manor Road Car Park – consider whether this should remain in plan or come forward as windfall. Look at in context of changes made to ECC04. Reference East Finchley ward.

119. Site 32 concerns Manor Park Road Car Park which includes an element of greenspace.
120. Part (E) of Policy ECC04 (Barnet's Parks and Open Spaces) of the Barnet Draft Local Plan (Reg 19) sought to provide a mechanism to facilitate the redevelopment of low quality, low value open spaces (as assessed within the Barnet Parks and Open Spaces Strategy) subject to robust demonstration that certain criteria could be met.
121. In June 2022 the Council proposed a modification (MM278) making an amendment to Policy ECC04, requiring the deletion of Part (E).
122. In light of the modification made to Policy ECC04, the Council have considered whether Site 32 (Manor Park Road Car Park, 72-76 Manor Park Road, N2 0SJ) should remain on the Schedule of Site Proposals in Annex 1 and have subsequently concluded that it should be omitted. The front part of the site provides public car parking, however, the rear part of the site provides a small public park with benches, lighting and fencing. Designating the latter as a site suitable for redevelopment for housing, in principle, would run contrary to the objectives of the administration's manifesto priorities. The consequent loss of 7 residential units (as estimated within Site 32's entry on Annex 1's Schedule of Site Proposals) is not considered to be significant to the Council's overall housing land supply and subsequent delivery of homes in line with London Plan objectives. It is therefore the recommendation of the Council that Site 32 be omitted from the Annex 1 Schedule of Site Proposals. The Council will action this through a Modification to the Local Plan.
123. With regards to the Inspector's query about the reference to East Finchley Ward, it is noted that the site is incorrectly shown as being within Golders Green Ward on the summary table of Annex 1 Site Proposals. A correction is not considered necessary as the site is proposed to be removed from the Site Proposals Schedule in Annex 1. The consequential impact of Site 32's omission will be reflected in the revised housing trajectory. The overall impact of this omission will be considered at the end of this note, taking account of the cumulative omissions and reductions.

Proposed modifications:

Removal of the site from the Annex 1 Site Proposals Schedule and Housing Trajectory.

Consequential changes will be reflected in the Main Modifications.

Hendon Hub sites 35 (Egerton Gardens car park), 36 (Fenella), 38 (Ravensfield House), 40 (Meritage Centre), 41 (PDSA and Fuller St car park) – confined to information in the public domain, on planning application to be made for these sites / non-issue of planning permissions. Consider impact, if any, on proposed allocation and assumptions for housing numbers

Retain MM361 for Site 36, MM362 for Site 38, MM363 for Site 40, MM364 for Site 41

124. The planning applications for the Hendon Hub proposals have received committee resolutions to Grant, and also have approval from the GLA and the Secretary of State. While there is no planning or legal reasons why planning permission cannot now be granted, the issuing of the permissions have been delayed to allow for a minor amendment to the application proposals, retaining the current library space where it is at the moment and providing additional university space in the ground floor of the proposed building where the library was proposed to be re-located. As this change is relatively minor it is not considered likely to put the project at risk. As such it is considered that the numbers provided for in the Hendon Hub proposals should remain counted as deliverable within the relevant plan period.

Sites 34: Burroughs Gardens Car park (Middlesex University and The Burroughs); and, 39: The Burroughs car park (Middlesex University and The Burroughs) – Reflect on capacities and consideration of whether developable rather than deliverable

125. Site 34 (Burroughs Garden Car park – Middlesex University and The Burroughs) sits in front of an Office building at No. 9 Burroughs Garden, to the rear of the car park. This Office building has been recommended approval for permission to add two additional storeys, which will make the building four storeys in height.
126. At the time of writing the decision on this application has yet to be issued, but it does benefit from a resolution to grant permission by the Planning Committee. In light of this and without prejudice, the Council considers that a development providing 9 units could feasibly be achieved on this site within a modest 3 (and potentially, part 4) storey building. This would be subject to a satisfactory design approach that is sensitive to the adjacent Listed and Locally Listed Buildings and other relevant policy considerations. Such a height would not be out of context with the surrounding context.
127. With respect to Site 39 (The Burroughs Car Park – Middlesex University and The Burroughs) the constraints are similar to Site 34, albeit there are Listed buildings on the adjoining plot, as opposed to being separated by a road. Notwithstanding, the Council consider that the plot is sufficiently large enough to accommodate the creation of 21 residential units in a block or configuration of 2 or more blocks, subject to a sensitive design approach that respects the presence of the heritage assets and balance with other London Plan and Local Plan policy considerations.
128. The Council have considered whether Sites 34 (Burroughs Garden Car Park – Middlesex University and The Burroughs) and 39 (The Burroughs Car Park – Middlesex University and The Burroughs) are deliverable within the next 5 years. At present the Council holds no clear or convincing evidence that development within the next 5 years is likely. As such, it is considered that these sites should be regarded as developable, rather than deliverable.
129. The Council proposes that changes to the development timeframe are reflected in a proposed modification to the plan.

Proposed modifications:

Modifications relevant to both Sites 34 and 39.

Development Timeframe:

~~0-5 years~~ 6-10 years

Site 42: Usher Hall (Middlesex University and The Burroughs) – address changes made to allocation in Exam 36. Reflect on whether assumptions of 1 dwelling to 2.5 or 3 student units is correct and particularly if the former, whether the site capacity is realistic

130. The London Plan at para 4.1.9 clearly states that ‘net non-self-contained accommodation for students should count towards meeting housing targets on the basis of a 2.5:1 ratio, with two and a half bedrooms/units being counted as a single home.’
131. EXAM 36 has recalculated the indicative housing capacity of Site 42 using the 2.5:1 ratio. It is a 0.44 ha site supporting Urban densities of 225 units per ha. Assumption that 100% of site is residential for students. $0.44 \times 225 = 99$ units (or 248 student units) 248 student units – 180 existing student units = 68 student units 68 student units is equivalent to 27 dwellings.
132. Capacity has been revised to show a Net figure of 27 units as proposal is to intensify not redevelop.
133. The Council proposes that changes to the number of indicative units are reflected in a proposed modification to the plan.

Proposed Modification

Indicative Capacity

~~117-68~~ student units ~~halls of residence~~ (equivalent to ~~27~~ 39 standard residential units on the ratio that ~~3~~ 2.5 student rooms are equivalent to 1 standard housing unit).

Site 63: Philex House (Major Thoroughfare) – reconsider proposed capacity for site (prior approval) in light of site constraints, in particular existing building

134. Withdraw MM393 as the proposal highlights the heritage merits of the building and therefore supports conversion rather than redevelopment.
135. Site 63 (Philex House) was granted Prior Approval from Office to residential use for 22 units under application referenced: 16/3265/PNO (dated: 27.06.2016); and, 29 units under application referenced H/05687/13 (dated: 22.01.2014). These schemes have not been implemented to date, but in principle carry weight in support of the residential redevelopment of the site.
136. The proposal expresses the view that the current building with its architectural features should be preserved, with new development of a consistent style. Conversion rather than redevelopment is the preferred option.
137. In light of the support for conversion, the Council is of the view that the indicative capacity of the site should be reduced to that of the most recent Prior Approval.
138. The Council proposes that changes to the number of indicative units, and development requirements and guidelines are reflected in a proposed modification to the Plan.

Proposed modifications

Withdraw MM393

Indicative capacity:

48-22

139. Review and respond to the Ramblers' Association's representations on the approach to footpath connections for site allocations in Annex 1 and the strategic walking network. Consider any resulting modifications.

140. The Ramblers Association's (RA) have highlighted issues about footpath connections and the promotion of active travel for site allocations in Annex 1 and the strategic walking network. The Council acknowledges the health and sustainability merits of walking and will ensure that consideration is given to the existing strategic walking network on all developments within the Borough, wherever this may be a relevant factor, with a view to ensuring that rights of way (including footpaths) in, on and around proposed development sites are maintained in order to promote and achieve sustainable and active travel in accordance with Policy TRC01.

141. The suggested amendments to the site specific proposals (Sites 2, 3, 4, 5, 6, 9, 13, 14, 15, 17, 21, 24, 27, 28, 30, 44, 46, 47, 49, 50, 53, 56, 67) within the RA's written representations have been considered, and the Council are not opposed to amending the "Site requirements and development guidelines" to take account of these. Overall, it is not considered that this would impact the capacity or deliverability of the sites, as the links/connections can be designed into the development schemes at the design stage.

Proposed Modifications:

142. The Council proposes to add the following modifications to the *Site Requirements and development guidelines* of the following sites:

Site 2:

Development of this site should include green spaces and pocket parks with walking and cycling routes to provide access for residents and attractive linkages between Brunswick Park Road, Ashbourne Ave, Howard Close and Oakleigh Road.

Site 3:

Use the opportunity to improve walking and cycling access to the primary school and to Brunswick Park open space.

Site 4:

Use the opportunity to improve walking and cycling access to the primary school and to Brunswick Park open space.

Site 5:

This site lies on the Strategic Walking network and a footpath runs along the back of the hospital grounds alongside the railway line. Development proposals should take the opportunity to ensure effective connectivity to this network and improve the environment of this footpath and open up its access to the Silk Stream

Site 13:

This site lies on the Strategic Walking network. Development proposals should take the opportunity to ensure effective connectivity to this network and open up its access to the Silk Stream with a walking and cycling route.

Site 14:

This site lies on the Strategic Walking network. Development proposals should take the opportunity to ensure effective connectivity to this network and open up its access to the Silk Stream with a walking and cycling route.

Site 15:

This site lies on the Strategic Walking network. Development proposals should take the opportunity to ensure effective connectivity to this network.

Site 17:

Development should provide walking and cycling route through allotments to Belmont Open Space.

Site 21:

Development should incorporate key footpath linkages.

Site 24:

This site lies on the Strategic Walking network. Development proposals should take the opportunity to ensure effective connectivity to this network.

Site 27:

This site lies on the Strategic Walking network. Development proposals should take the opportunity to ensure effective connectivity to this network.

Site 28:

This site lies on the Strategic Walking network. Development proposals should take the opportunity to ensure effective connectivity to this network and open up its access to the Silk Stream with a walking and cycling route.

Site 30:

This site lies near to the Strategic Walking network. Development proposals should take the opportunity to ensure effective connectivity to this network.

Site 44:

Provide pedestrian bridge over the railway line to Potters Lane (as it is not possible to provide a footway down the east side of Barnet Hill south of the station slip road)

Site 46:

Footpath connectivity across this site should be explored and provided.

Site 47:

This site lies on the Strategic Walking network . Development proposals should take the opportunity to ensure effective connectivity to this network.

Site 49:

This site lies near to the Strategic Walking network and a public footpath crosses the site. Development proposals should take the opportunity to ensure effective connectivity to this network.

Site 50:

This site lies on the Strategic Walking network. Development proposals should take the opportunity to ensure effective connectivity to this network.

Site 53:

This site lies near to the Strategic Walking network. Development proposals should take the opportunity to ensure effective connectivity to this network.

Site 56:

This site lies near to the Strategic Walking network. Development proposals should take the opportunity to ensure effective connectivity to this network

Site 67:

This site lies on the Strategic Walking network. Development proposals should take the opportunity to ensure effective connectivity to this network and to improve the existing footpath.

Site 2: North London Business Park – provide an update on the status of the pending planning application for North London Business Park (NLBP). Clarify status of S73 application (22/1573/S73). Liaise with developer for timescales for commencement and build-out trajectory. Deliverable or developable?

143. Current planning application referenced 21/2244/OUT in summary concerns a Hybrid planning application for the phased comprehensive redevelopment of the North London Business Park for residential and residential-led mixed use development, for up to 2,428 homes, a 5 form entry secondary school, a gymnasium, a multi-use sports pitch and associated changing facilities and improvements to open space and transport infrastructure.

144. The application was reported to the Strategic Planning Committee on 15th December 2022 (see [Strategic Planning Committee Agenda, reports and minutes](#)). The Committee resolved to refuse the application on the grounds of overdevelopment, design, bulk and mass; and consequently the absence of a formal undertaking to secure the planning obligations. At the time of producing this note, the formal decision has yet to be issued. In light of this, the site's indicative capacity will remain as originally stated (1,350 residential units) within the Site Proposals Schedule.
145. The Section 73 application was approved on 20th October 2022. This application concerned only changes to the school with regards to the main access point on Brunswick Park Road; and changes to the phasing of the development. No changes were proposed to the residential numbers of the scheme, and thus, the approved number of residential units will remain as 1,350.
146. The developer has advised that they expect to start on site as soon as possible, with an estimated build-out timeframe of 7 years, in phases ranging between 18 and 24 months. This has been reflected in the Council's revised trajectory projections. On the basis of the information provided, the Council is of the view that the scheme is predominantly deliverable, as opposed to developable.
147. The Council proposes that changes to the development timeframe is reflected in a proposed modification to the plan.

Proposed modifications:

Development Timeframe:

~~6-10 years~~ 0-5 years

Site 3: Osidge Lane Community Halls – Further justification for allocation and assumptions required. Liaise with Council's assets disposal team. Deliverable or developable ?

148. As per EXAM 36 the site is 0.45 ha with low PTAL supporting Urban densities of 140 units per ha. Assumption that 75% of site is non-residential. Accordingly, application of the density matrix results as follows: $0.45 \times 140/100 \times 25 = 16$ units. Parts of the site fall within Flood Zone 2 and 3. As part of the Regulation 19 stage of the Local Plan's preparation, the Council undertook a Level 2 Strategic Flood Risk Assessment (SFRA) on its Schedule of Site Proposals. A Technical Note (Local Plan Schedule of Site Proposals Flood Risk - Sequential and Exception Test - TECHNICAL NOTE – February 2022) (see EB_GI_18) to support the Level 2 SFRA was also produced to establish whether the site should be omitted or retained within the emerging Local Plan's Site Proposals Schedule. The conclusion of these documents is that Site 3 passes the exceptions test and should be retained. The majority of development on the site will be restricted to land falling within Flood Zone 2. A small area on the north-eastern section of the site is located within Zone 3a. The Technical Note further states that evidence from the Level 2 SFRA shows that design and mitigation measures can enable development on the site, while managing flood risk. It references the requirement for mitigation in accordance with paras 4.2, 4.3 and 4.4 of the Technical Note and that a detailed Flood Risk Assessment must be

submitted alongside any planning application with details of any mitigation including finished floor levels, floodplain compensation and safe access and egress.

149. In light of the above, the Council consider that the allocation remains justified.

150. Following input from the Assets Disposal Team the Council has concluded that it would be most likely to come forward in 6-10 years – making it developable.

Proposed modifications:

Retain MM319

Development Timeframe:

~~0-5 years~~ 6-10 years

Justification:

151. The Council's Level 2 Strategic Flood Risk Assessment (SFRA) and supporting technical note (Local Plan Schedule of Site Proposals Flood Risk - Sequential and Exception Test - TECHNICAL NOTE – February 2022) conclude that the site passes the exceptions test and could be developed safely, subject to a robust Flood Risk Assessment, and design that incorporates suitable mitigation measures.

Site 4: Osidge Library & Health Centre – more cautious approach on density to reflect on constraints. Liaise with Council's assets disposal team. Deliverable or developable?

152. As per EXAM 36 the site is 0.39 ha with low PTAL supporting Urban densities of 140 units per ha. Assumption that 50% of site is non-residential. Accordingly, application of the density matrix results as follows: $0.39 \times 80/100 \times 50 = 16$ units.

153. Based on the requirement to retain the library and medical facility, along with the mature trees fronting the road and taking account of the low-rise residential nature of the area, the Council consider that a reduction in residential capacity of the site by approximately a third would be appropriate. Such a reduction would result in an indicative capacity of 10 units.

154. To clarify, the amended site capacity has been calculated as follows: $(0.39 \times 80 / 100 \times 50) \times 0.66$ (i.e. percentage reduction based site context) = 10 units. NB Figure was rounded down rather than up. Following input from the Assets Disposal Team the Council has concluded that it would be most likely to come forward in 6-10 years – making it developable.

155. The Council proposes that changes to the number of indicative units, and development timeframe is reflected in a proposed modification to the plan.

Proposed modifications:

Retain MM320

Development Timeframe:

~~0-5 years~~ 6-10 years

Indicative residential capacity:

46 10

Site 67: Great North Leisure Park - Liaise with developer on design led approach that can support increased capacity on basis of reduction in main town centre uses - timescales for commencement and build-out trajectory.

156. The Development Partner and Council are exploring how a number of the town centre uses can be re-provided within the redevelopment of North Finchley. The Council is currently undertaking consultation on the relocation of the Lido and the findings of this are not yet available. This, and other investigative work, is ongoing. However, the Council and Development Partner are confident that the indicative capacity for this site remains achievable. Initial design proposals demonstrate that taking account of the site constraints and opportunities, including the introduction of sustainable travel options, enhanced pedestrian connectivity to Glebelands, and exploring opportunities to provide reduced quantum of commercial/leisure/community uses on the site, that there is capacity for a significant quantum of homes on the site.
157. The Development Timeframe of 6-10 years is not disputed by the Development partner, and this will be reflected Council's overall trajectory. The Council proposes that changes to the site requirements and development guidelines are reflected in a proposed modification to the plan.

Proposed modifications

Retain MM398, Revise MM399

Site requirements and development guidelines (Revision to MM399 – 1st sentence):

Tall (but not Very Tall) Buildings may be appropriate, however, all tall building proposals will be subject to a detailed assessment of how the proposed building relates to its surroundings (~~with height of neighbouring buildings being of foremost consideration~~) responds to topography, contributes to character, relates to public realm, natural environment and digital connectivity. Further guidance will be provided by the Designing for Density SPD.

Site 23: Bobath Centre (East Finchley Town Centre)– Confirm whether the red line needs changing to exclude the listed building. Provide an update on the status of application ref. 21/2602/FUL.

Retain MM346

158. Planning Application reference 21/2602/FUL was approved, subject to conditions and a legal agreement on 19th December 2022. The scheme relates to a

residential development that provides 25 units, which meets the indicative capacity as published within the Annex 1 Schedule of Site Proposals. The Council consider there is more than a reasonable prospect that the scheme is deliverable within 5 years.

159. The Council recommend that the red line of the site boundary should remain unchanged, thereby including the Listed Building in the northern portion of the site. Retaining it within the site boundary creates the best opportunity for optimising the heritage asset's future use.

Proposed Modifications

Relevant planning applications :

21/2602/FUL (approved subject to S106) – 25 units

Site 24: East Finchley station car park – Liaise with TfL on design led but cautious approach given heritage assets - timescales for commencement and build-out trajectory. Consider modifications to refer to the community garden in development specification.

Retain MM347, MM348, MM349

160. The listed station building occupies a relatively small part of the site. Whilst this is not insignificant, as a development constraint, the Council considers that there is sufficient space within the site to ensure that an appropriate space buffer which, together with graduated massing, could be incorporated into the design to minimise potential harm to the significance and setting of the listed building.
161. TfL have indicated that the site is not on their current housing programme. However, they have advised that there is a possibility of the site being brought forward onto the programme, but this is more likely to be a 6-10+ year prospect. The build out trajectory is also uncertain.
162. The Council note the concerns raised about the potential loss of a community garden as the result of redevelopment of this site and consider that it would be appropriate to include a community garden as part of the development specification within the site allocation entry.
163. The Council proposes that changes to the site requirements and development guidelines are reflected in a proposed modification to the plan.

Proposed modifications

Site requirements and development guidelines

Proposals should mitigate the loss of the existing community garden through equivalent or improved re-provision, that is accessible to the community.

Site 25: East Finchley Substation – Reflect on site’s residential capacity and considerations of Planning Committee report and reasons for refusal as scheme is now subject to appeal

Retain MM351

164. Site 25 was subject of an application for full planning permission (ref: 21/5217/FUL) for “*Demolition of the existing building, construction of a new retaining wall, and erection of a part-five, part-six storey building, comprising retail and office use (Class E) and 9no. self-contained residential flats, with associated amenity space, refuse storage, cycle parking, and disabled parking spaces along with highway and landscaping works*”.

165. Officers recommended the application for approval, subject to conditions and financial/non-financial obligations secured by a legal agreement ([Link to 22nd June 2022 Planning Committee B meeting agenda, reports and minutes](#)).

166. Members of the Planning Committee resolved to refuse the permission for the following reasons:

1. *The proposed development, by reason of its size, siting, height, bulk and design, would be harmful to the character and appearance of this part of East Finchley and the town centre and the visual amenity of Cherry Tree Woods, as well as detracting from the enjoyment of users of Cherry Tree Woods*
2. *The proposed development does not include a formal undertaking to meet the costs of provision of carbon off-set, highways mitigation, the loss of trees both on and off-site, the provision of affordable workspace, and the skills, employment, enterprise and training opportunities and contributions.*
3. *The proposed development would fail to provide adequate private amenity space for the occupiers of the development*

167. The reasons for refusal have no impact on the principle of development for residential development and/or mixed use development. Refusal reason 1 makes reference to size, height and bulk which are intrinsically linked to the design-led approach of delivering density. However, regardless of the outcome of the appeal decision, it would not preclude future schemes coming forward with a greater level of residential provision than previously proposed.

168. The Officer report to the Planning Committee commented that the indicative capacity of 29 units, as published in the Reg 19 submission version is unlikely to be achievable, owing to the site specific constraints of the site. On reflection, the Council concur that it would be difficult for a 29 unit residential scheme to come forward that both reflects and respects local context in terms of size, siting, height, bulk and design, whilst ensuring that there is a high standard of residential accommodation and amenity, with adequate mitigative measures to ensure that the majority of these units are not unsatisfactorily prejudiced by the physical constraints of the site and adjacent transport land use (London Underground Northern Line). Furthermore, it is acknowledged that the size and density of the scheme is constrained by the presence of the nearby listed station building and the nearby adjacent Hampstead Garden Suburb - Bishops Avenue Conservation Area.

169. Based on planning pre-application advice discussions and the impact of the site constraints the design-led approach to density, it is considered that the indicative capacity for residential unit should be reduced by approximately half – thereby proposing a capacity of circa 15 residential units.
170. The Council proposes that changes to the Development timeframe and indicative residential capacity are reflected in a proposed modification to the plan.

Proposed modifications:

Development Timeframe:

~~41-45 years~~ 6-10 years

Indicative Residential Capacity:

~~29 units~~ 15 units

Site 26: Park House (East Finchley Town Centre) – clarify difference in numbers between Reg 19 and Exam 36. Liaise with Council’s assets disposal team on design led work that informed capacity. Consider whether assumptions achievable. Deliverable or developable? Reflect on whether the relationship with the entrance to Cherry Tree Wood can be articulated.

171. The note on housing numbers (EXAM 36) residential capacity figure for this site is 31 units. This based on a site of 0.2 ha with high PTAL supporting densities of 260 units per ha. Assumption that 40% is non-residential. Accordingly: $0.2 \times 260 / 100 \times 60 = 31$ units, which is higher than the submission. NB the number of units has been rounded down.
172. The Reg 19 Submission Version residential capacity for this site is 20 units. This based on a site of 0.2 ha with high PTAL, supporting densities of 70-260 units per ha (averaged), and assumption that 40% is non-residential. Accordingly: $0.2 \times (70+260 / 2) / 100 \times 60 = 19$. NB the number of units has been rounded down.
173. On reflection of these figures, it is considered that 19 units is a realistic indicative capacity, assuming that the ground and some of the upper floors of any prospective development are occupied by non-residential uses. If the non-residential use amount were to be reduced then it would be possible to achieve a higher site capacity for residential use (circa 27 units), which would be appropriate within the Town Centre. The Council considers that subject to a design-led approach that a minimum of 19 residential units would be achievable, and deliverable, as opposed to developable.
174. In respect of the query regarding whether the relationship with the entrance to Cherry Tree Wood can be articulated, the Council can see no reason why the entrance to Cherry Tree Wood could not be articulated through any forthcoming development proposal on this site. The Council will ensure that this is taken into account at the pre-application and planning application stage through modification to the development requirements and guidelines on Site 26’s entry within the Annex 1 Schedule of Site Proposals.

175. It is noted that the summary table to the Schedule of Site Proposals states 19 units. This will be revised to reflect the 20 units stated within the detailed site proposals via a proposed modification to the plan.

Proposed modifications:

Retain MM352

Indicative residential capacity:

~~20~~ 19

Site requirements and guidelines:

Any forthcoming development should give design consideration to how the entrance of Cherry Tree Wood at the front of the site can be articulated to encourage and promote the parks use.

Site 30: Finchley Central Station (Finchley Central/ Church End Town Centre) – Liaise with TfL regarding the design led approach that has informed calculation of the unit number and clarify the intended distribution of development across different parts of the site. Consider whether assumptions achievable. Review boundary to the site to ensure roadway running between west and east is included. Consider whether suitable for Very Tall buildings. Consider whether amendment required to remove text in brackets from MM359.

Retain MM357, MM358

Revise MM359

176. Finchley Central town centre contains a variety of buildings between 3 and 9 storeys in height. The majority of the site falls within PTAL 6a, close to all town centre services and amenities, making it a highly suitable location for higher density mixed use residential development. This could be achieved through a tall building (subject to testing and compliance with other relevant criteria of the tall buildings policy) and some smaller buildings distributed across the site. At present there is no information on the exact distribution of uses across the site, nevertheless, the Council are confident that an appropriate configuration could be achieved.
177. At its closest point, Site 30 is located circa 95m from the Finchley Church End Conservation Area and circa 150m from a Grade II Listed building, both to the south/south-west. The distances are such that any forthcoming development of appropriate in size, height, mass and scale for the site is not likely to affect the setting or significance of these designated heritage assets. Accordingly, there would be no adjustment factor for the density capacity calculated. Finchley Central's station building is locally listed, and whilst this is not statutorily significant by itself, suitable regard for its value must be had in the overall planning balance for any future scheme.

178. Overall, in light of the above, the Council is satisfied that the site is suitably classified for an upper limit urban density, thereby being able to accommodate 556 residential units, with rail infrastructure/commercial mixed use, through a design-led approach that is sensitive to the local context.
179. The Council consider that the site boundary should be redefined to incorporate the roadway running between west and east, as suggested by the Planning Inspector.
180. Proposed modifications:
181. Site Boundary Plan to be amended at Modifications stage to include roadways running between the east and west sections of the site.

Site requirements and guidelines:

Revision to MM359

~~Finchley Church End Town Centre is a strategic location.~~ Tall (but not Very Tall) Buildings may be appropriate within the boundaries of the Town Centre however all tall building proposals will be subject to a detailed assessment of how the proposed building relates to its surroundings ~~(with height of neighbouring buildings being of foremost consideration)~~ responds to topography, contributes to character, relates to public realm, natural environment and digital connectivity. Further guidance will be provided by the Designing for Density SPD.

Site 62: Tesco Finchley (Finchley Central Town Centre) – Consider appropriateness of tall buildings.

Retain MM391, MM392

182. The Council consider that Site 62 is suitable for tall buildings. There are a number of taller buildings nearby, including Central House and those on Albert Place, providing justification for increased height within this locality. However, taller development should be concentrated on the frontage of Ballards Lane and development towards the rear which backs on to the lower rise residential development of The Grove, should be graduated in height to reflect and respect the clear change to domestic scale character and context.
183. The Council will propose amended “Site requirements and development guidelines” that reflect the position on tall buildings in this location within the Site Proposals entry for Site 62 via the Modification process.

Proposed modifications:

Site requirements and guidelines:

High accessibility to public transport and local services, mean this site should support a relatively high density of development, while being mindful of the surrounding context, including low-rise residential properties to the north. Tall Buildings may be appropriate, however, such proposals should be concentrated on the frontage of Ballards Lane. Development towards the rear where there are low-rise residential development should be graded in height to reflect and respect the clear transition to the domestic scale character and context of The Grove. All tall building proposals will be subject to a detailed assessment of how the proposed building relates to its surroundings ~~(with height of~~

~~neighbouring buildings being of foremost consideration~~ responds to topography, contributes to character, relates to public realm, natural environment and digital connectivity. Further guidance will be provided by the Designing for Density SPD

Site 55: Woodside Park Station East – Liaise with TfL on any design led work that informed capacity. Further justification for allocation, assumptions and deliverability required. Clarify any relationship with the planning permission 19/4293/FUL (southern part of site 56)

Retain MM380

184. Site 55 encompasses the car parking area on the east side of the Northern Line, to the north of the station entrance.
185. The capacity for the site was estimated by the Council using the density matrix, with adjustments made for parking provision. It is understood that TfL are of the view that the site could accommodate more units than the indicative capacity, and comparative to the southern part of Site 56, which obtained planning permission under 19/4293/FUL for 86 affordable self-contained flats (Use Class C3) within two 5 storey blocks. It is important to note that the southern part of Site 56 was not required to provide parking for the station and also the nearest residential properties were afforded a considerable buffer (>21m) by their rear gardens. With regards to Site 55, the neighbouring residents backing onto the site from Woodside Grange Road and Budd Close have a notably less buffer distance within their own plots. Consequently, any proposed development will need to account for this within the site boundary (i.e. thereby reducing the developable area) and when considering appropriate building heights. In light of this, the Council consider that the indicative capacity of 95 units remains appropriate for this site.
186. The allocation is justified as the site is close to North Finchley Town Centre and is served by the Northern Line and regular bus services. Discussions with TfL indicate that it would be a realistic prospect for new homes to be delivered on the site within 5 years.

Site 56: Woodside Park Station West (Existing Transport Infrastructure) – provide further justification on development and assumptions of northern part, liaising with TfL on early design work to mitigate any impacts to trees and access, including the footbridge over the Northern line.

187. Pocket Living are currently building out 86 new affordable homes on the southern part of Site 56, in accordance with planning permission ref: 19/4293/FUL. On the basis of the number units achieved on the southern half of the site, the Council consider that a further 270 units on the northern section, particularly given the constraints of the dense presence of trees within this area, would likely be unachievable. Loss of trees will be an inescapable factor on this site, but in order to reduce the extent, the Council consider that the overall site capacity, based on the design-led approach of the southern half, should be reduced to 184 residential units. This is consistent with discussions held with TfL. This will be reflected within a proposed modification to site's indicative residential capacity. The 'Site requirements

and development guidelines' are amended to include reference to mitigation and maximising retention of trees on site. Financial contributions may be required by Section 106 agreement ensure that equivalent replanting is achieved nearby.

188. With regards to access, it is understood that LUL ownership extends to the eastern walls of Hitcham Court and Westchester Court and there should be sufficient space to provide access to the northern part of the site (for pedestrians, cycles and servicing vehicles) between them and the railway tracks. It may be necessary to modify the footbridge stairs to enable access from Station Approach. This could possibly require the stairs on the west side of the tracks to be turned so that they run parallel to the railway lines rather than perpendicular to them. As such, access is unlikely to prevent the site from coming forward.

189. The Council proposes that changes to the indicative residential capacity together with site requirements and development guidelines are reflected in a proposed modification to the plan.

Proposed modifications:

Indicative residential capacity:

~~356~~ 270

Site requirements and development guidelines:

The impact of the loss of trees and other vegetation must be mitigated. Where retention or equivalent replacement cannot be achieved on site, then financial and/or non-financial contributions may be required to ensure that equivalent replanting is achieved nearby.

Site 58: Lodge Lane Car Park – correct the rounding on indicative capacity. Reflect on the consistency of the approach to parking on this site and across Annex sites, and the consistency of terminology, with particular focus on TfL sites.

190. Site 58 is designated as Key Opportunity Site 6 within the North Finchley Town Centre Framework SPD. The unit number (133) in the housing numbers note (Exam 36) is incorrect as a consequence of rounding up from 132.86. The indicative capacity of this site is to remain 132 residential units, as per the original entry on the Annex 1 Schedule of Site Proposals. Barnet's Draft Local Plan, in line with the London Plan (March 2021), (Core_Gen_16) sets out maximum residential parking standards which are based on both Public Transport Accessibility Levels (PTAL), a measure of connectivity by public transport (i.e. how close a place is to public transport and how frequent services are in the area), and the number of beds per dwelling. EXAM 52 provides further clarification on the Council's approach to parking management while EXAM 57 addresses the redevelopment of car parks.

191. The loss of public parking to the extent proposed, together with the level of parking provision for a prospective mixed-use development on this site should be determined by robust assessment through parking surveys, utilising the Lambeth Transport Parking Survey Methodology. The results of this this should inform the level of parking required. This should be clarified within a proposed modification to the Site requirements and development guidelines for the site entry.

Proposed modifications:

Development timeframe :

~~0–5~~ 6–10 years

Site requirements and guidelines:

Public car parking loss and parking provision for any forthcoming mixed use development must be assessed through parking stress survey(s), utilising the Lambeth Council Parking Survey methodology (The Guidance Note can be found at: <https://www.lambeth.gov.uk/sites/default/files/2021-10/lambeth-parking-survey-guidance-2021.pdf>). ~~and re-provided as required.~~ The results of the survey should inform the level of parking required. Financial and non-financial obligations may be required towards Control Parking Zone reviews and the amendment of existing and Traffic Management Orders, in order to mitigate any excess residential parking stress as a consequence of future residential development at this site.

Site 1: Former Church Farm Leisure Centre – Provide an update on the status of the site, confirm whether any planning application has been submitted and/or determined.

192. No applications have been submitted or determined on the site. The site should be considered developable rather than deliverable. The Council proposes that changes to the development timeframe are reflected in a proposed modification to the plan.

Proposed modifications :

Retain MM317, MM318

Development Timeframe:

~~0-5 years~~ 6-10 years

Site 65: Barnet Mortuary Dolman Close, Finchley N3 2EU – Liaise with Council's assets disposal team. Deliverable or developable?

Justification needed for deliverability.

193. Planning permission (application ref: 22/3385/FUL) was granted (subject to conditions/legal agreement) for the “*Erection of a three to five storey building containing 60no. self-contained residential units with associated amenity space, landscaping, parking, servicing access and cycle and refuse store facilities*” on 28th December 2022.
194. The site is currently owned and will be delivered by Pocket Living, who have advised the Council that it is their intention to deliver the site within 5 years. As such the Council consider the site to be deliverable, and the 60 units will be reflected in the revised trajectory. A proposed modification to the indicative residential capacity is also proposed.

Proposed modifications:

Indicative residential capacity:

~~20~~ 60

Site 44: High Barnet Station (Chipping Barnet Town Centre) – Resolve rounding issue. Liaise with TfL on early design work informing capacity, provide justification for the 1-5 year time period or consider modifications.

Retain MM367

195. The indicative capacity for this site as stated in the housing figures note (EXAM 36) of 293 units is a result of rounding up the total from the calculation which yielded a 292.5 total. For reference the calculation method on EXAM 36 is as follows:

1.5 ha site with high PTAL supporting Urban densities of 260 units per ha.
Assumption that 25% is non residential, therefore: $1.5 \times 260 / 100 \times 75 = 293$ units

196. The EXAM 36 number is to be disregarded and the figure of 292, as originally stated on the Annex 1 Site Proposals schedule is to remain. The methodology of calculating the indicative capacity remains unchanged.

197. Prior to the pandemic TfL had undertaken extensive community engagement with the local residents, businesses, community groups and other stakeholders, including two community exhibitions, the last of which was in late 2019. The Council considers that this demonstrates a clear intention to submit a planning application within the deliverable timeframe, although it is acknowledged that it is unlikely that a scheme of 292 units could be delivered entirely within 5 years. Feasibly, 92 (circa. 100) units could be delivered in year five. For this reason the Council consider that the site is 'developable', rather than 'deliverable'. Therefore, the development timeframe of 6-10 years as stated in the Annex 1 Site Proposal Schedule should remain unchanged.

Site 47: Mill Hill East Station – Resolve rounding issue. Provide commentary regarding appropriate building heights and the surrounding context. Check boundary of Map 3E in Exam 34 with regards to Waitrose and reflect on extent of that boundary and potential to make reference to adjoining site as part of a more comprehensive development.

198. A discussion was held during the Local Plan Hearing session on Matter 10 regarding the possible scope for comprehensive redevelopment of the site together with the adjacent site currently occupied by Waitrose, Langstone Way. It was suggested that the Site Allocation boundary could be expanded to include this. The Council will not be revising the site boundary of the Site 47, however, TfL have advised that they are considering the possibility of site optimisation, through comprehensive redevelopment with the adjoining Waitrose site. No further detail on this is available at present. The Council consider that the 'Site requirements and

development guidelines' for Site 47 should include reference to the consideration of potential optimisation of the site through comprehensive re-development with the neighbouring Waitrose site. This will be included in a Modification to the Plan.

199. The boundary of Map 3E in Exam 34 is a depiction of the Mill Hill East Area, identifies three of the Site Proposal boundaries. Site 47 is depicted within the overall boundary of the Mill Hill East area, and its site boundary matches that of the map shown within the Annex 1 Site Proposal for Site 47.

200. The immediate context of the site is mixed with lower rise domestic properties and slightly taller commercial buildings (circa 3-4 storeys) with lots of space surrounding them. However, the Council consider that the appropriate heights for the site can range up to six storeys, taking cues from the Millbrook Park site to the north-east opposite, where there are a range of heights up to 6 storeys. Development around the station building will need to be mindful of its local listing. This will be included in a modification to the Plan.

201. The Council proposes that changes to the Site requirements and development guidelines are reflected in a proposed modification to the plan.

Proposed modifications:

Retain MM369

Site requirements and development guidelines:

The varied surroundings to the site mean that the design and height must be sensitive in terms intensification; for example, the southern boundary towards the supermarket provides greater scope for building height than towards the low-rise housing to the west. Subject to careful layout, massing and design testing, buildings over 3 storeys in height, taking cues from the Milbrook Park redevelopment to the north-east opposite, where there are a range of taller buildings, may be explored. Consideration should be given to whether there is an opportunity for the site to be redeveloped comprehensively with the neighbouring site occupied by Waitrose, to optimise the density and delivery of services and facilities for existing and future residents.

Preservation of mature trees is required. The station building and associated platforms and tracks ~~must~~ should be retained ~~and/or re-provided~~. Development around the station building will need to be mindful of its local listing. Should the station building be demolished, the loss of the locally listed building must be justified, and a replacement station building must be provided.

Site 50: Watford Way & Bunns Lane (Major Thoroughfare) – provide justification for the site's deliverability, particularly in view of the access issues. Clarify what the access solution could be to make the site developable

202. The Council acknowledge that at present there are access issues to the site, owing to a lack of a clear vehicular access point from Bunns Lane, and the limited

- access provided by the slip-road on to the A1 (southbound), which has been temporarily blocked up. The latter is also regarded as unsafe within the site description of the allocation, which the Council continues maintain its position on.
203. Notwithstanding, the Council still consider that the site could be delivered. This is subject to an access being established from Bunns Lane or the adjacent Brancaster Drive development.
204. With regards to the former, adjacent to 19-24 Farm House Court on Bunns Lane, to the west, there is an existing access to a group of off-street garages. These structures could be removed and be re-provided within the site to facilitate a vehicular access that would enable the wider development of Site 50. This would require agreements/negotiations between the relevant landowners, however, it is considered that there is a reasonable prospect of this being achievable.
205. With regards to Brancaster Drive, the possibility of acquiring additional land from this development could be explored. There may also be other opportunities for access where land acquisition is involved. Nevertheless, in light of either of the potential access solutions suggested, it is considered that the development timeframe will need to be adjusted to 10-15 years, and these approaches could take some time to resolve.
206. The potential access solutions detailed here will be incorporated into the 'Site requirements and development guidelines' via a plan Modification.
207. The Council proposes that changes to the Development timeframe and Site requirements and development guidelines are reflected in a proposed modification to the plan.

Proposed modifications:

Retain MM373

Development Timeframe:

~~6-10 years~~ 10-15 years

Site requirements and development guidelines: New 2nd sentence

Proposals must demonstrate how adequate access to site will be secured. Possible accesses should be explored from Bunns Lane, through the garage site adjacent to 19-24 Farm House Court, and/or from Brancaster Drive.

Site 53: Allum Way (Whetstone Town Centre) - Clarify wording regarding guidance on building heights. Consider whether need for operational infrastructure should be based on more conservative figure. Scenario setting could provide context for any future opportunities to increase capacities if infrastructure not needed.

208. Site 53 sits to the west of the residential street of St Margaret's Avenue. On reflection of the site constraints, it is noted that the site sits at a lower topographical level to these properties which potentially allows for increased height of buildings above the 2-3 storey heights. There is sufficient space within the site to accommodate a graduated range of heights, subject to compliance with relevant

policies, that would not significantly impact the character of the site and surrounding area, particularly if they are concentrated closer to the Northway House site.

209. MM376 removed the percentage approach to the mix of development on site to facilitate flexibility of mixed uses. Notwithstanding, the methodology of estimating the indicative capacity of the site still takes a percentage adjustment factor into account to arrive at the indicative capacity as per EXAM36 calculations:
210. 4.27 ha site with high PTAL supporting Urban densities of 260 units per ha. Assumption that 46% is non residential, therefore, $4.27 \times 260/100 \times 54 = 599$ units
211. This has been the consistent approach throughout the calculation of all of the Annex 1 sites that have been estimated using the Density Matrix. In accordance with MM376, there will be no definitive percentage established for operational infrastructure, thereby allowing flexibility in the circumstances where this is identified as not being required.
212. The Council proposes that changes to the Site requirements and development guidelines are reflected in a proposed modification to the plan.

Proposed modifications:

Retain MM376, MM377

Site requirements and development guidelines:

There is sufficient space within the site to accommodate a graduated range of heights, subject to compliance with relevant policies, that would not significantly impact the character of the site and surrounding area, particularly if they are concentrated closer to the Northway House site. Tall (but not Very Tall) Buildings may be appropriate, however, all tall building proposals will be subject to a detailed assessment of how the proposed building relates to its surroundings responds to topography, contributes to character, relates to public realm, natural environment and digital connectivity. Further guidance will be provided by the Designing for Density SPD.

Site 54: Barnet House (Whetstone Town Centre) –review any consequential modifications arising from permission APP/N5090/W/21/3289161

213. In light of the planning permission granted on appeal for the site (Barnet House), a modification is proposed to the indicative residential capacity to reflect the residential unit numbers within the planning permission.
214. The site is still considered to be deliverable within 5 years and will therefore be reflected as such within the revised trajectory.
215. The Council proposes that changes to the Relevant planning applications and the Indicative residential capacity are reflected in a proposed modification to the plan.

Proposed modifications:

Relevant planning applications:

21/3726/FUL (Appeal ref: APP/N5090/W/21/3289161) (refused, allowed on appeal) for extensions, demolition and erection of new residential buildings for 260 units

Indicative residential capacity:

~~439~~ 260

Site 48: Mill Hill Library (Mill Hill Town Centre) – Liaise with Council’s assets disposal team. Deliverable or developable? More cautious approach with heritage assets Clarify what is happening with the library should the development go ahead.

216. The Council’s Asset Disposal team are in the process of undertaking a capacity study, however the results of this are not available at the time of writing. Notwithstanding the Asset Disposal team’s findings, the Council acknowledge that the library building is Locally Listed and this is a material consideration that will affect the development potential of the site. The demolition of this building would be unfavourable; the expectation from any prospective development proposal is that the lower portion of the building (to its eaves) should be retained. Any extensions to the building would need to be subservient to the ground floor element. In light of this, the Council consider that the site, even with extensions, is only likely to be capable of delivering 10 residential units, with little-to-no alternative community use. The Asset Disposal Team advise that the library use will be relocated to Daws Lane – a short distance from the site - as part of the Council’s co-location initiative to improve access to multiple services in one location. In principle, relocation is acceptable, subject to the offsite re-provision being comparable to the existing provision.
217. The Asset Disposal team advise that they intend to make a planning application submission in Quarter 3 or 4 of 2023/24, although the design is still in gestation and will be the subject of ongoing pre-application discussions with the Local Planning Authority. In light of the constraints and timescales envisaged, the Council consider that the site is developable rather than deliverable.
218. The Council proposes that changes to the Development timeframe, Indicative residential capacity and site requirements and development guidelines are reflected in a proposed modification to the plan.

Proposed modifications:

Retain MM370

Development Timeframe:

~~0-5 years~~ 6-10 years

Indicative Residential Capacity:

~~49~~ 10

Site requirements and development guidelines:

Due to the ~~proposed~~ Local Heritage listing, proposals should retain the existing building and sensitively integrate new uses or additional subservient extensions.

Site 46: IBSA House (Mill Hill East Growth Area) – provide an update on status of currently pending planning application and clarify deliverability of development with the developer and the interaction of development with the North London Studios.

219. The Council are still in discussions with the applicant regarding the Heads of Terms for the S.106 agreement for application referenced: 19/6551/FUL. This is likely to be resolved in early 2023. With regards to the deliverability, the Council does not have sufficient information from the applicant to establish what they intend for the medium-to-long term of the site. On this basis the Council considers that the site is developable rather than deliverable.
220. The Council proposes that changes to the Site name and Development timeframe are reflected in a proposed modification to the plan.

Proposed modifications:

Site Name:

IBSA House (~~Mill Hill East Growth Area~~)

Development Timeframe:

~~0-5 years~~ 6-10 years

Site 49: Watch Tower House & Kingdom Hall (Mill Hill Growth Area) – provide an update on planning application going to committee and design led work behind 184 Units including 175 SOPH. Consider 224 unit capacity as upper end. Look at boundary of site and provide comments on public access to western part. Work with the developer to see if the site can be deliverable and if so, provide justification. Reflect on para 149(g) of NPPF. Consider referring to Policy HOU04 in dev specification.

221. The application (referenced 22/0649/FUL) was reported to the Council's Strategic Planning Committee on 18th January 2023 ([See agenda, reports and minutes](#)). The committee resolved to approve the application. The Council and applicant are still in discussion over drafting of the Section 106 agreement, however, there is no reason to assume that the decision will not be issued following signing and completion of the agreement.
222. The site is located within the Mill Hill Conservation Area, and also falls within the Green Belt. Considering the significance of these policy constraints, and the scope of development within the current application that is pending review of the Committee, the Council consider that the current indicative capacity of 224 units on this site is unlikely to be achievable. The scheme has been the subject of multiple pre-application discussions with the Local Planning Authority (as detailed within the

application's supporting planning statement) and the GLA and it is considered that the density proposed in the current application is at the upper limits of what is acceptable within this location given the identified constraints.

223. As noted within the Site Description, there is a public footpath (public right of way) that bisects the site in half, running from The Ridgeway through to Rushden Gardens. To the west of this is a larger area of green open space that is not currently open to the public. The Council would expect this space to remain undeveloped and retained for the purposes of the public and existing/future residents' benefit. There should also be improved access to it from the public footpath. These expectations will need to be incorporated into a revision of the 'Site requirements and development guidelines' via the plan modification process.
224. With regards to Green Belt policy, the Council consider that is important to address how the redevelopment of this site can be justified, given the significant weight afforded in national, regional and local policy to the protection of the Green Belt and its openness. Paragraph 149 of the National Planning Policy Framework (2021) states that a Local Planning Authority should regard the construction of new buildings as inappropriate in the Green Belt, although sub-paragraph (g) is clear that limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:
- not have a greater impact on the openness of the Green Belt than the existing development; or
 - not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.
225. The Council considers that the eastern half of the site would qualify as previously developed land, being partly developed for its existing uses (place of worship/sui generis, which have relocated elsewhere), whilst also being enveloped by existing domestic properties to the north, east, south and the southern part of the west site boundary. Inherently, redevelopment of the site will result in some harm of the Green Belt, however, this should be weighed in the planning balance with regards to whether it would in the words of paragraph 149(g) have a 'greater impact on the openness of the Green Belt than the existing development' or whether it would 'not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need'.
226. The Council consider that it would be appropriate to ensure that reference to Paragraph 149(g) of the NPPF (2021) should be made within the 'Justification' section of the Site Proposal entry for Site 49, and further it should be explained that clear justification of the exception must be provided for any future development proposals within the 'Site requirements and development guidelines'. This change to the Site Proposals Schedule will be made via a modification.
227. The Inspector has asked the Council to consider whether it would be appropriate to refer to the emerging Policy HOU4 in the development specification. It is acknowledged that this policy should be referred to in the specification and will be included by means of a proposed modification.
228. The Council consider that the site is deliverable, should a resolution to grant permission be made. The existing occupiers have relocated, meaning that there are no immediate barriers to the commencement of development should permission be granted. Therefore, this should be reflected in the development timeframe of the site allocation.

229. The Council proposes that changes to the Development timeframe, Relevant planning applications, Applicable draft local plan policies, Indicative residential capacity, Site description and site requirements and development guidelines are reflected in a proposed modification to the plan.

Proposed modifications:

Retain MM371, MM372

Development Timeframe:

~~6-10 years~~ 0-5 years

Relevant planning applications:

22/0649/FUL (approved) for demolition and construction of 10 new buildings comprising 175 units of Specialist older persons housing and 9 residential dwellings.

Applicable Draft Local Plan Policies:

GSS01, GSS07, HOU01, HOU02, HOU4, CDH01, CDH02, CDH03, CDH07, CHW02, ECC05, ECC06, TRC01, TRC03

Indicative Residential Capacity:

~~224~~ 184

Site description:

The western half of the site comprises a Kingdom Hall with a large, open field to the rear. The field is a large green open space that is not currently open to the public.

Site requirements and development guidelines:

While planning permission has been granted for 184 residential units on the site any future proposal seeking development that is not within the area of previously developed land must demonstrate very special circumstances, although the Council would expect this space to remain undeveloped and retained for the purposes of the public and existing/future residents' benefit. Consideration should be given to improved access to the green space from the public footpath.

Site 16: 45-69 East Barnet Rd (New Barnet town centre) – correct the rounding and reflect on the New Barnet Framework and reference to provision of a public square

230. Site 16 falls within the area covered by the New Barnet Town Centre Framework SPD (2010).
231. The Framework SPD sets out the Council's vision for New Barnet Town Centre, and within this document Site 16 encompasses areas 2, 3, 4, and 5 of Opportunity Site 2 (OS2). The Framework SPD suggests that OS2 should feature a

new public square and the Council can see no reason why such a feature could not be incorporated into any forthcoming proposal.

232. As such, it is acknowledged that reference to the Public Square should be made within the Site requirements and development guidelines of the Schedule of Site Proposals for Site 16. A modification will be proposed to incorporate this into the *Site requirements and development guidelines*.
233. In light of the provision of a new public square being a requirement of any future development, this area should be omitted from the overall developable area and subsequently taken into account in the indicative residential capacity. The Council considers a reduction of 144m² is an appropriate reduction resulting in a reduction of the developable area from circa 0.6ha to circa 0.58ha.
234. This would result in a reduction of the indicative capacity by 5 units, thereby providing a revised indicative capacity of 105 units total.
235. For reference, the residential capacity is calculated on the assumptions that it is a 0.6 ha site with high PTAL supporting Urban densities of 260 units per ha. Further, there is an assumption that 30% is non-residential. Accordingly:
Accordingly: $0.58 \times 260 / 100 \times 70 = 105$ units. NB the number of units has been rounded down.
236. A modification is therefore proposed, changing the indicative capacity from 110, to 105.
237. The Council proposes that changes to the Indicative residential capacity, and Site requirements and development guidelines are reflected in a proposed modification to the plan.

Proposed modifications:

Retain MM341

Indicative Residential Capacity:

440 105

Site requirements and development guidelines:

Maintain retail uses in the Primary Frontage along East Barnet Road. The high street character should be enhanced, potentially through refurbishing some of the existing buildings – the public house is identified as a character building by the Town Centre Framework. Any forthcoming design should make provision for a Public Square, in accordance with the New Barnet Town Centre Framework (2010). Residential uses can be focused at the rear of the site. Designs must be appropriate to the context of the high street and surrounding area. Further planning guidance is provided by the New Barnet Town Centre Framework (2010) which identifies the site as within Area 2.

Site 18: Former East Barnet Library – Liaise with Council's assets disposal team. Deliverable or developable?

238. The site is now vacant and the use has been relocated within a new facility located in the New Barnet Leisure Centre at Victoria Recreation Ground (New Barnet) as part of co-location initiative to improve access to multiple services in one

location. As such, there will be no net loss of a community facility, and therefore, no constraint to the site coming forward in principle. The Council's Asset Disposal team intend to make a planning application submission in Quarter 3 or 4 of 2023, although the design is still in gestation and the subject of ongoing pre-application discussions with the Local Planning Authority.

239. The Council consider that the site is developable rather than deliverable. The housing trajectory will be amended to reflect this.
240. The Council proposes that changes to the Development timeframe are reflected in a proposed modification to the plan.

Proposed modifications:

Retain MM342

Development Timeframe:

~~0-5 years~~ 6-10 years

Site 21: New Barnet Gasholder (New Barnet Town Centre) – reflect on what is sought to be achieved in light of the unique challenges of the gasholder site, particularly regarding justification for community floorspace. Modification to make clear that 201 dwellings is not a ceiling if innovative design-led solutions respond to challenges.

241. The site forms part of Opportunity Site 1 within the New Barnet Town Centre Framework SPD. Land contamination is the primary constraint and the site is land locked by existing two storey residential development and the railway line. Access is also limited by vehicles from the south although pedestrian routes are possible in northerly, southerly, easterly, and westerly directions. The indicative capacity is considered to be achievable, subject to land remediation and a design-led approach.
242. On reflection, the Council consider that reference to community floorspace should be omitted from the proposed uses of this site because it is located in an area away from the town, that is predominantly residential in character and would have constrained vehicular access (i.e. not a thoroughfare), owing to the site constraints. This could create access issues and undesirable traffic congestion within the residential area. The Council consider this unnecessary when there are existing community and leisure facilities accessible in Victoria Recreation Ground (New Barnet Leisure Centre) to the south-east, and within the New Barnet Town Centre which are both within reasonable walking distances to the site. Furthermore, the New Barnet Town Centre Framework SPD also recommends that leisure, community, and employment uses should be concentrated in the southern mixed-use area to complement the core retail offer of the High Street. As such, omitting the community floorspace requirement from the site proposals will ensure that the indicative capacity of 201 dwellings could be met, and possibly exceeded, subject to a design-led approach. The Council consider that it would be appropriate to make clear through a modification that 201 dwellings on this site is not a maximum capacity, but a minimum objective.

243. The Council proposes that changes to the Proposed uses, Indicative residential capacity, and Site requirements and development guidelines are reflected in a proposed modification to the plan.

Proposed modifications:

Revise MM344 to 100% residential

Proposed Uses:

Residential development ~~with small quantum of community uses~~

Indicative Residential Capacity:

201 (circa)

Site requirements and development guidelines:

The site is highlighted within the New Barnet Town Centre Framework (2010), being part of Opportunity Site 1. Build-out of several parts of Site 1 are already well underway. Due to the nature of the existing use land decontamination will be an important consideration. ~~The scale of the site means that it may be appropriate to provide a community use to address the needs of new residents.~~ Proposals must take into consideration the existing suburban housing to the north and east of the site and ensure there is no loss of amenity in terms of overlooking.

The residential capacity of the site is indicative and could be exceeded, subject to a designed approach that takes into account the surrounding context other material and planning policy considerations.

Site 52: Kingmaker House (New Barnet Town Centre) – consider deletion of site as nearly completed and any consequential modifications.

244. The site was granted prior approval (application ref: 19/1952/PNO) and planning approval (application ref: 19/5403/FUL) for conversion from office to residential for 94 residential units and extension of the building for 43 residential additional units. The schemes have been implemented and are nearing completion. It is therefore reasonable to assume that no further development, by way of increasing density, will occur on this site for the foreseeable future, and therefore, the site should be removed from the Annex 1 Site Proposals Schedule.

245. The consequential impacts will be shown in the revised trajectory.

Proposed modifications:

Removal of the site from the Annex 1 Site Proposals Schedule.

Site 43: Army Reserve Depot (Chipping Barnet Town Centre) – reflect on a more cautious approach given context of heritage assets.

Retain MM366, MM367

246. The site abuts the Monken Hadley Conservation Area to the south and east; the properties opposite the front of the site (numbers 37-41 St Albans Road) are Locally Listed, although do not fall within the Conservation Area designation. Both the Conservation Area designation and Local Listings are of material consideration. Abutting the rear of the site is a 3 storey development known as Livingstone Court (granted permission under: N07335E; dated 28.10.1992) that is occupied by 46 flats. The design of this scheme is sensitive to the surrounding area, and it is considered that any forthcoming proposals on Site 43, could take design cues from this development, as it would be possible to replicate similar scale, design and massing to achieve the current indicative capacity. The Council consider that there is sufficient space within the site to ensure that any forthcoming development is designed with regard for the sensitivity of the surrounding designated and non-designated heritage assets, and therefore, the indicative capacity would be achievable through a design-led approach. Consequently, no changes are proposed to the Site Allocation.

Site 45: Land at Whalebones – add further detail to the proposal based on outcome of SoCG and a Note which provides justification for the site and sets out an appropriate indicative capacity in context of appeal decision.

247. Site 45 was recently the subject of a dismissed Planning Appeal under Planning Inspectorate reference: APP/N5090/W/21/3273189 (Local Authority Planning application reference: 19/3949/FUL refused by notice: 9 March 2021).

248. The Council's refusal notice contained two reasons. Refusal reason 1 related to the loss of greenspace resulting in the proposal both failing to preserve or enhance the Wood Street Conservation Area (WSCA) and harming the visual amenities of neighbouring residents; and refusal reason 2 related to the absence of a formal undertaking to secure the planning obligations considered necessary to make the application acceptable. The latter reason was not defended by the Council following the receipt of a draft undertaking made pursuant to section 106 of the Town and Country Planning Act 1990 (s106), which addressed the matters of refusal reason 2.

249. A Statement of Common Ground between the Council and the Site Promoters has been agreed and signed between both parties, as of 3rd January 2022. The Council acknowledges that through further detailed discussions and design revisions centred around the harms identified by the Appeal Inspector may overcome the reasons for refusal and dismissal. This will be subject to the receipt and review of a comprehensive design proposal that satisfies planning policies and the planning balance. It is agreed by both parties that to achieve a reduction in harm will inevitably result in a reduction of residential units, and there is a mutual acceptance that 100-120 units is the appropriate indicative capacity for the site, subject to a design-led approach that responds appropriately to the sensitive and historic character of the site and its surroundings.

250. The Council proposes that changes to the Site name, Site size, Indicative residential capacity, proposed uses/allocation, and Site requirements and development guidelines are reflected in a proposed modification to the plan.

Proposed modifications:

Site Name:

Land at Adjoining The Whalebones

Site size:

~~2.20~~ 4.37 Ha

Indicative Residential Capacity:

~~449~~ 100 – 120

Proposed uses/allocation:

~~0% residential with 10% local open space and community facilities.~~ Replace MM368 as follows:

Residential led development with publicly accessible open space and community uses

Site requirements and development guidelines:

There should be provision of a ~~new Local Open Space~~ publicly accessible open space and a community facility, subject to legal agreement with developer on continuing management and maintenance

Site 51: Great North Road Local Centre (Major Thoroughfare) – consider whether a more cautious approach is needed with regards to listed building and reconsider MM374 with regards to retention of public house.

251. The largest building on site (currently known as the Everyman Cinema) is designated as a Grade II Listed Building, and adjacent to this building sits The Queens Arms Public House, currently operating as a public house.

252. As per the site requirements and development guidelines within the Site Proposals Schedule, the retention of the Grade II Listed Building on site is an essential prerequisite. The current wording in the guidelines with respect to the retention to the Public House is less restrictive, however, in light of the Planning Inspector's request, the Council has given further consideration to the existing and emerging policies concerning protection of Public Houses.

253. Paragraph 93 of the National Planning Policy Framework requires planning policies and decisions to plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments. The London Plan (2021) further recognises pubs are a unique and intrinsic part of British culture and identifies the importance of protecting public houses where they have a heritage, economic, social or cultural value to local communities. Policy HC7 (Protecting public houses) of the London Plan (2021), provides the relevant policy tests to ensure that that such valuable community assets are not lost without robust justification, irrespective of whether they are on the Council's ACV (Asset of Community Value list). Policy CHW04 (Protecting Public Houses) of Barnet's emerging Local Plan (Reg 19) aligns with this approach, seeking retention of public

houses where viable, but further seeking to ensure that Public House buildings are otherwise retained for a community uses, before considering disposal for other uses.

254. In light of the above the Council have re-considered MM374 with regards to the Public House and in context with the expectation of current and emerging national, regional and local policies and consider that it would be appropriate to ensure that the retention of the Public House on the site is prioritised over a change of use or redevelopment for a non-community use. A modification to the Site requirements and development guidelines is therefore proposed to reflect this.
255. Overall, the Council consider that a more cautious approach is needed with regards to both the listed building and the public house, and consequently this will have an impact on the indicative capacity of the site. Should the Public House be retained as is, then the developable area is relatively constrained to the north-western part of the site, which taking a design-led approach is likely to reduce the indicative capacity to a third (circa 27 units).
256. This is based on a reduction of the developable area of the site being reduced to a third (0.26ha) and therefore basing the density matrix calculation as follows: $0.26 \times 260 / 100 \times 40 = 27$ Units
257. The Council proposes that changes to the Site requirements and development guidelines are reflected in a proposed modification to the plan.

Proposed modifications:

Retain MM374 (revised)

Proposed uses:

Residential development with cinema and public house retained.

Indicative residential capacity: ~~84~~27

Site requirements and development guidelines:

Proposals must retain the Grade II listed cinema building. Proposals must also retain the Public House, unless it can be demonstrated there is no viable demand for its continued use, or no viable alternative community use in accordance with the policy tests within Policy CHW04. Reprovision of the use within a mixed-use development would be supported. Noise and air pollution from the Great North Road must be mitigated.

Conclusion

258. The Council invites the Inspectors to consider and recommend that the Council makes the additional further modifications set out in this paper recognising that those considered to be Main Modifications will need to be formally consulted upon following the examination hearing sessions.

APPENDIX 2

Planning Inspectorate APP/N5090/W/22/3304952 Local Plan Examination in Public – Next Steps

➤ Inspector led consultation on Action Notes	Early 2023	<ul style="list-style-type: none"> Inspector led (informal) consultation takes place seeking any views from all Reg 19 representors Inspectors consider informal consultation responses, requesting any clarification or further information if necessary. May open hearings if necessary. Inspectors prepare and submit their Post Hearings Letter.
➤ Inspector's Post Hearings Letter	Early Spring 2023	<ul style="list-style-type: none"> This provides a framework for drafting and completing main mods. Final Mods Schedule to go through SA (the latter if necessary).
➤ Schedule of Main Modifications	Spring 2023	<ul style="list-style-type: none"> Requires approval from Policy & Resources Committee – 20th April 2023 or later?
➤ Local Plan Main Modifications	Spring / Early Summer 2023	<ul style="list-style-type: none"> Formal (minimum) 6 week consultation Main Mods and any associated documentation (SA / HRA). Inspector: consider Main Mods Consultation responses. May require further information and hearings if necessary
➤ Inspector's Report	Autumn 2023	<ul style="list-style-type: none"> Assuming no further hearings Inspectors consider and submit Final Report. Council to publish / notify an to adoption.
➤ Adoption of Local Plan	Dec 2023	<ul style="list-style-type: none"> Requires approval from Policy & Resources Committee Adoption by Council
➤ Start Review of Next Local Plan ?	Dec 2024	<ul style="list-style-type: none"> New Local Development Scheme signed off to signpost review of next Plan