

Chapter 4: Built Environment

Policy GBEEnv1 (Character)

Deposit Draft Objections

GBEnv1 / 235 / 6761	Mr Janos Kaposi	
GBEnv1 / 284 / 1563	The Barnet Society	
GBEnv1 / 281 / 1688	Church End Local Agenda 21 Partnership	4.1.2
GBEnv1 / 281 / 1608	Church End Local Agenda 21 Partnership	4.1.1
GBEnv1 / 15 / 805	North Finchley Agenda 21 Partnership	4.2

Support for Policy

GBEnv1 / 281 / 1618	Church End Local Agenda 21 Partnership	4.1.8
---------------------	--	-------

Revised Deposit Draft Objections

GBEnv1 / 281 / 5757R	Church End Local Agenda 21 Partnership	4.1.1
----------------------	--	-------

Support for Policy Changes

GBEnv1 / 286 / 5648R	Barnet Friends of the Earth	4.1.2
----------------------	-----------------------------	-------

Support for Pre-Inquiry Changes

GBEnv1 / 286 / 7207P	Barnet Friends of the Earth	4.1.3
GBEnv1 / 286 / 7206P	Barnet Friends of the Earth	4.1.1
GBEnv1 / 263 / 6920P	The Finchley Society	4.1.1
GBEnv1 / 281 / 6979P	Church End Local Agenda 21 Partnership	4.1.1

Issues

- The wording of paragraph 4.1.1;
- Maintenance matters.

Inspector's Reasoning and Conclusions

- 4.1 In their Revised Deposit stage objection, CELA propose modified wording for paragraph 4.1.1. This has been accepted by the Council as a PIC. It does strengthen the text and I support it.
- 4.2 Mr Janos Kaposi makes some important points here and in respect of Policy D1, about standards of maintenance. While I agree with the Council that these are not specifically matters for this UDP to address, they are nevertheless matters that the Council should consider in deploying its resources.

RECOMMENDATION

- 4.3 I recommend that paragraph 4.1.1 be modified as set out in the Council's PIC.
-

Policy GBEEnv2 (Design)

Deposit Draft Objections

GBEnv2 / 257 / 917	Circle 33, Metropolitan & Notting Hill Housing, Paddington Churches and Servite	4.2
GBEnv2 / 281 / 1619	Church End Local Agenda 21 Partnership	
GBEnv2/178/768	Mrs N Yozin-Smith	

Revised Deposit Draft Objections

GBEnv2 / 263 / 5548R The Finchley Society

Support for Pre-Inquiry Changes

GBEnv2 / 281 / 6980P Church End Local Agenda 21 Partnership

Issues

- Energy saving measures;
- Living conditions for residents;
- Securing better quality in design;
- Innovative design in affordable housing.

Inspector's Reasoning and Conclusions

- 4.4 The Council makes two PICs in response to the objections. One adds a reference to the layout and orientation of buildings, which can be important in energy saving terms (this responds to a now withdrawn objection by BfOE). The other strengthens the reference to protecting environmental quality for residents. Both improve the policy.
- 4.5 The Finchley Society are concerned about the Council's ability in practice to enforce better design standards. At a national and strategic level, Government guidance and the policies of the London Plan place major emphasis on the need for better design; indeed, this is crucial to the success of measures aimed at achieving higher densities. Influenced in part by Government sponsored documents, including CABI's *By Design*, design standards are improving but there is still some way to go. As the planning authority, it will be for this Council to secure the best practicable designs and to reject those that are substandard.
- 4.6 I address the question of affordable housing under Policy D1.

RECOMMENDATION

- 4.7 I recommend that Policy GBEnv2 be modified as set out in the Council's two PICs.

Policy GBEnv3 (Safe environments)**Deposit Draft Objections**

GBEnv3 / 281 / 1689 Church End Local Agenda 21 Partnership

Issues

- Delete: 'seek to' in the Policy.

Inspector's Reasoning and Conclusions

- 4.8 The Council's Revised Deposit stage change deletes 'seek to' from the wording of Policy GBEnv3 and beneficially strengthens it.

RECOMMENDATION

- 4.9 I recommend that Policy GBEnv3 be modified as set out in the Revised Deposit UDP.

Policy GBEEnv4 (Special areas)

Deposit Draft Objections

GBEnv4 / 210 / 594	All Souls College, Oxford
GBEnv4 / 263 / 1163	The Finchley Society
GBEnv4 / 121 / 822	St. Joseph's College
GBEnv4 / 162 / 722	MAFF
GBEnv4 / 15 / 805	North Finchley Agenda 21 Partnership

Support for Policy

GBEnv4 / 281 / 1666	Church End Local Agenda 21 Partnership
---------------------	--

Revised Deposit Draft Objections

GBEnv4 / 121 / 6824R	St. Joseph's College
GBEnv2 / 15 / 5488R	North Finchley Agenda 21 Partnership

Issues

- The strength of protection that is to be offered to special areas;
- The areas that are to be covered.

Inspector's Reasoning and Conclusions

- 4.10 Policy GBEEnv4 is the 'umbrella' policy for a range of detailed policies that follow. It sets out the basic principle that 'special areas' should be preserved or enhanced. The words 'seek to' (in the Initial Deposit UDP) are consistent with that principle. By removing them, the text would suggest that all such areas will automatically be protected in all circumstances. That would be too categoric for such a broad group of 'special areas', some of which - like conservation areas - have statutory protection, and others which do not. Moreover, the policy has too much detail for a Part I policy. I propose revised wording below.

RECOMMENDATION

- 4.11 I recommend that Policy GBEEnv4 be modified as follows:

The Council will seek to protect, by preserving or enhancing, buildings, areas, open spaces, or features that are of special value in architectural, townscape or landscape, historic, agricultural or nature conservation terms.

Policy D1 (Quality in Design)

Deposit Draft Objections

D1 / 257 / 916	Circle 33, Metropolitan & Notting Hill Housing, Paddington Churches and Servite	4.3.7
D1 / 263 / 1172	The Finchley Society	4.3.1
D1 / 235 / 6762	Mr Janos Kaposi	
D1 / 281 / 1621	Church End Local Agenda 21 Partnership	4.3.5
D1 / 15 / 806	North Finchley Agenda 21 Partnership	4.3.7

Support for Policy Changes

D1 / 286 / 5649R	Barnet Friends of the Earth	4.3.1
D1 / 286 / 5642R	Barnet Friends of the Earth	4.3.1

Issues

- The role and status of Design Guidance Notes;
- The use of design statements;
- The role of RSLs in encouraging good design.

Inspector's Reasoning and Conclusions

- 4.12 This overall section on Quality in Design is one of the most important in the whole UDP. As is the case strategically for London as a whole, it is central to the objectives of the UDP. In the coming years, Barnet will be accommodating substantially more development and good design will be vital if the Council's aim of protecting and enhancing the quality and character of the Borough's environment (Policy GBEnv1) is to be met. As the London Plan points out in paragraph 4.34, there are also essential links between good design and the attraction of economic investment, social inclusivity and the fostering of a more sustainable environment.
- 4.13 Changes made to the Revised Deposit UDP already address one aspect of sustainability, namely the need through design, density, location and orientation to minimise energy consumption. However, it would be desirable to go further in recognising the wider linkages. One such link should be to the social objectives of this UDP and to the part that RSLs can play in ensuring that the affordable housing that will make up a high proportion of the new housing stock is of high quality in both design and general sustainability terms. This would respond to the specific objection raised by the Housing Associations.
- 4.14 In response to the objection from CELA, I agree with the Council that SPG in the form of Design Guidance Notes does not have the same legal status as UDP policies and that no change should be made to the text. NFLA seek a stronger reference to the role of design statements and public consultation. I consider that it is firm enough already. I would expect the Council to use its judgement in deciding on what precisely is required from developers and on the extent of public consultation. What is appropriate in any one case will depend to a large measure on the scale and the sensitivity of the development in question.
- 4.15 The Council's design guidance will assist developers by indicating what is likely to be acceptable. The published UDP should list these Notes, possibly in an appendix. It would also be helpful to developers if the UDP were to refer to the important advice produced by CABE (*BY Design - Urban design in the planning system: towards better practice DETR 2000; By Design: Better places to live DTLR 2001*). These documents explore the principles that underlie successful design, illustrating these through numerous case studies.

RECOMMENDATION

- 4.16 I recommend that the text under the heading Quality in Design (as set out in the Revised Deposit UDP) be further modified to:
- (i) Refer to the linkages between design and the factors cited in paragraph 4.34 of the London Plan;
 - (ii) Refer to the part played by RSLs in ensuring that affordable housing is of a high quality in design and general sustainability terms;
 - (iii) Cross refer to the Council's Design Guidance Notes to be listed in

- an Appendix; and
- (iv) Cite CABE/Government guidance on good practice in design.

Policy D4 (Over-development)

Deposit Draft Objections

D4 / 218 / 1093 Middlesex University
D4 / 15 / 807 North Finchley Agenda 21 Partnership

Issues

- What is meant by over-development?

Inspector's Reasoning and Conclusions

4.17 I am concerned about this policy. As Middlesex University indicates, it is vague and 'over-development' lacks any definition. It could be an obstacle to the acceptance of the higher density housing and other development that is called for by the London Plan and that will increasingly feature in this borough. It says nothing about the role of good design that can make an intensive development entirely acceptable if the right design steps are taken. The policy should be deleted. The other policies in this UDP provide sufficient control.

RECOMMENDATION

4.18 I recommend that Policy D4 be deleted.

Policy D5 (Outlook)

Deposit Draft Objections

D5 / 222 / 1032 Michael Cromar
D5 / 281 / 1622 Church End Local Agenda 21 Partnership
D5 / 321 / 1890 London Transport Property
D5 / 15 / 808 North Finchley Agenda 21 Partnership 4.3.7

Revised Deposit Draft Objections

D5 / 342 / 5439R Level Properties
D5 / 178 / 5458R Mrs N. Yozin-Smith

Support for Policy Changes

D5 / 286 / 5650R Barnet Friends of the Earth

Pre-Inquiry Change Objections

D5 / 263 / 6940P The Finchley Society
D5 / 342 / 7218P Level Properties
D5 / 281 / 6982P Church End Local Agenda 21 Partnership
D5 / 286 / 7199 Barnet Friends of the Earth 4.3.7

Issues

- Building relationships and the protection of living conditions.

Inspector's Reasoning and Conclusions

4.19 Policy D5 addresses building relationships and the safeguarding of the

amenities of potential and adjoining occupiers and users. The Council's PIC makes the policy read more positively than as set out in the Revised Deposit UDP. Supplemented by SPG this provides a sufficient degree of protection for those amenities and I find this wording preferable to that of the earlier version. I do not support the inclusion of criteria in the Plan - as proposed by Level Properties. Again, these are best included in SPG. The same would apply to the use of the BRE methodology on sunlight and daylight as advocated by Michael Cromer. The Council should consider both of these points when it next reviews the relevant SPG.

- 4.20 On Mrs Yozin-Smith's objection, it is unrealistic and, in my view, unduly onerous, to require that in all cases there should be no reduction in existing levels of privacy and amenity. As with other development control policies, the basic test is whether the development is acceptable, judged against the policy in question. Judgements as to what will and what will not be acceptable will depend on the individual case. They will be aided in the case of privacy by 'rules of thumb', such as minimum back to back distances. However, they should not necessarily be dictated by such standards for that would ignore what can be achieved through good design.

RECOMMENDATION

- 4.21 I recommend that Policy D5 be modified as set out in the Council's PIC.

D6A (New Policies)

Deposit Draft Objections

D6A / 281 / 1624 Church End Local Agenda 21 Partnership
NewPol / 29 / 427 Miss A M L King

Issues

- The need for new policies: (i) controlling the modification and extension of existing buildings; and (ii) maintaining a minimum gap between properties.

Inspector's Reasoning and Conclusions

- 4.22 I agree with the Council that the existing section on Quality in Design covers all development, including extensions. Also the question of the acceptable separation between properties is a detailed matter that is best covered by SPG.

RECOMMENDATION

- 4.23 I recommend that no change be made in response to these two objections.

Policy D7 (Scenic quality)

Deposit Draft Objections

D7 / 263 / 1173	The Finchley Society	4.3.8
D7 / 121 / 818	St. Joseph's College	4.3.8
D7 / 162 / 715	MAFF	
D7 / 281 / 1623	Church End Local Agenda 21 Partnership	

D7 / 182 / 978 Lafarge Redland Aggregates Limited
 D7 / 15 / 809 North Finchley Agenda 21 Partnership

Revised Deposit Draft Objections

D7 / 168 / 5407R Sainsbury's Supermarkets Ltd
 D7 / 342 / 5436R Level Properties
 D7 / 121 / 6833R St. Joseph's College 4.3.8

Support for Policy Changes

D7 / 286 / 5651R Barnet Friends of the Earth

Pre-Inquiry Change Objections

D7 / 342 / 7219P Level Properties

Issues

- The case for referring additionally to local character;
- The flexibility of the policy.

Inspector's Reasoning and Conclusions

- 4.24 The Finchley Society seek to expand the introductory text to Policy D7 by referring additionally to local character. They refer to an earlier draft of this section in which there is a more detailed analysis of Barnet's landscape, in particular of its urban landscape, i.e. its townscape. Given that it will be the local landscape (or townscape) that will be primarily affected by development (unless a strategic view is affected), it would be appropriate to expand the present section, making use of the earlier draft as appropriate.
- 4.25 Added to this and in line with my recommendation on Policy D5, Policy D7 should be reworded in a positive vein. Also, it should refer to townscape as well as landscape. I suggest possible wording below.

RECOMMENDATION

- 4.26 I recommend that:
- (i) Policy D7 should be deleted and replaced with the following:
New developments should respect, as well as contribute to, the local townscape and landscape; and
 - (ii) Paragraph 4.3.8 of the Revised Deposit UDP should be expanded/redrafted to take into account the matters raised by the Finchley Society and it should be given a new heading:
Townscape and Landscape Quality and Character

Policy D8 (Disabled access)

Deposit Draft Objections

D8 / 26 / 665 The House Builders Federation 4.3.12
 D8 / 26 / 664 The House Builders Federation

Issues

- The need for this policy;
- Shopfront design and access provision for people with disabilities.

Inspector's Reasoning and Conclusions

- 4.27 Policy D8 and its supporting text is an important statement of the stance to be taken in respect of access and facilities for people with disabilities. While the Building Regulations cover this area, at least in part, it is as well for this UDP to set out what is expected of developers. The Revised Deposit UDP incorporates a small change in paragraph 4.3.12. This updates the text and addresses fully the second of the two objections from the HBF. Another change, this time to paragraph 4.3.36 incorporates the suggestion made by Access in the Borough of Barnet (now withdrawn objection 37/699) regarding the design of new shop fronts.

RECOMMENDATION

- 4.28 I recommend that no further change be made to Policy D8 or to its supporting text.

Policy D9 (Designing out crime)

Revised Deposit Draft Objections

D9 / 287 / 5887R Barnet Regeneration 4.3.14

Support for Pre-Inquiry Changes

D9 / 281 / 6981P Church End Local Agenda 21 Partnership 4.3.14 – 4.3.15

Issues

- Designing to reduce crime.

Inspector's Reasoning and Conclusions

- 4.29 A PIC incorporates comments made by Barnet Regeneration at the Revised Deposit stage. I have no objection to the proposed changes.

RECOMMENDATION

- 4.30 I recommend that the supporting text to Policies D9 and D10 be modified as set out in the Council's PIC.

Policy D10 (Improving community safety)

Deposit Draft Objections

D10 / 218 / 1094 Middlesex University
D10 / 349 / 2344 Metropolitan Police

Revised Deposit Draft Objections

D10 / 287 / 5888R Barnet Regeneration

Pre-Inquiry Change Objections

D10 / 281 / 6983P Church End Local Agenda 21 Partnership

Issues

- Community safety and its indicators.

Inspector's Reasoning and Conclusions

- 4.31 The Council's PIC takes into account the advice of the Metropolitan Police. This incorporates references to a crime profile and to community safety. In response to the objection from CELA, I consider that this goes sufficiently far. Middlesex University says that Policy D10 duplicates IMP2 on planning obligations. However, while there is some overlap, D10 does deal with the specifics of improving community safety.

RECOMMENDATION

- 4.32 I recommend that Policy D10 be modified as set out in the Council's PIC and that no further changes be made.

Policy D11 (Landscaping)

Deposit Draft Objections

D11 / 281 / 1626	Church End Local Agenda 21 Partnership	4.3.18
D11 / 281 / 1627	Church End Local Agenda 21 Partnership	
D11 / 281 / 1625	Church End Local Agenda 21 Partnership	4.3.17
D11 / 86 / 703	Barnet Green Party	
D11 / 15 / 810	North Finchley Agenda 21 Partnership	4.3.18
NewPol / 286 / 1808	Barnet Friends of the Earth	

Revised Deposit Draft Objections

D11 / 286 / 5598R	Barnet Friends of the Earth	4.3.18a
D11 / 281 / 5762R	Church End Local Agenda 21 Partnership	4.3.17
D11 / 281 / 5773R	Church End Local Agenda 21 Partnership	4.3.18a
D11 / 86 / 5299R	Barnet Green Party	4.3.18a
D11 / 15 / 5490R	North Finchley Agenda 21 Partnership	4.3.18a

Support for Policy Changes

D11 / 286 / 5652R	Barnet Friends of the Earth	
D11 / 319 / 5301R	Royal Society for the Protection of Birds (RSPB)	4.3.18

Issues

- The hard surfacing of front gardens to provide parking spaces;
- The ecological value of landscaping;
- The protection and landscape/wildlife management of watercourses;
- The need for a new policy on the preparation, implementation and management of tree planting schemes.

Inspector's Reasoning and Conclusions

- 4.33 The Revised Deposit UDP incorporates a number of important changes. In particular, it responds to the concern of a number of objectors about the hard surfacing of front garden areas to provide car parking spaces. There is no doubt that the character of many streets both in London and elsewhere throughout the country has been adversely affected by the loss of greenery in front gardens and the front walls or hedges that separate those gardens from the highway. All too often, front gardens have been replaced by unsympathetic surfacing materials, and the overall result is a bleak, unattractive street scene. I therefore welcome the inclusion of paragraph 4.3.18a. This should include a cross reference to Policy Env11 and sustainable drainage systems.
- 4.34 Other changes address the water environment. In particular, they

respond to the advice of the Environment Agency. The only point in contention appears to be in respect of the width of the landscape buffer strip which the EA sees as separating the buildings and structures from any watercourse. CELA feels that the 8m cited by the EA should be a minimum, rather than the maximum as cited by the Agency. While this is a detailed matter that would need to be assessed in individual cases, I believe that 8m would be a useful 'rule of thumb'. I recommend revised wording to paragraph 4.3.17.

- 4.35 The introductory paragraph to the section refers to the ecological benefits of providing a variety of wildlife habitats. The recommendations as revised acknowledge this, as well as the concerns of some objectors by adding a suitably worded fifth criterion.
- 4.36 BFoE propose a new policy to cover the preparation and implementation of landscaping and tree planting schemes. However, I believe that this is adequately covered by the existing UDP policies. The maintenance of trees in public open spaces is a matter for the Council under its parks and open space responsibilities.

RECOMMENDATION

- 4.37 I recommend that:
- (i) In paragraph 4.3.17 as modified, the word 'guideline' be inserted before 'distance of 8m' in line 25;
 - (ii) In paragraph 4.3.18a there be inserted a cross reference to sustainable drainage systems;
 - (iii) Otherwise, Policy D11 and its supporting text be modified as set out in the Revised Deposit UDP; and
 - (iv) There be no additional policy covering trees and landscaping.

Policy D12 (Tree preservation orders)

Deposit Draft Objections

D12 / 279 / 1456	Laing Field & Moat Mount Residents Association	4.3.21
D12 / 279 / 1449	Laing Field & Moat Mount Residents Association	4.3.21
D12 / 71 / 702	Conservative Group - Barnet Council	
D12 / 281 / 1628	Church End Local Agenda 21 Partnership	
D12 / 15 / 811	North Finchley Agenda 21 Partnership	4.3.20

Issues

- The type of replacement planting;
- The requirements of the Wildlife and Countryside Act;
- Pedestrian safety.

Inspector's Reasoning and Conclusions

- 4.38 This section on Tree Preservation Orders reflects the legislation. It is well balanced and I believe that it goes far enough. In terms of replacement planting, a change to paragraph 4.3.22 in the following section makes it clear that native species are to be preferred. LFMM draw attention to the requirements of the Wildlife and Countryside Act 1981 in respect of breeding birds. While there is a reference to that Act in respect of Policy O16, given the importance of trees for breeding birds (as well as bats) it would be desirable to add a suitable reference to the legislation in this

part of Chapter 4. However, it applies to trees generally and, with that in mind, it should be added to the end of paragraph 4.3.22.

- 4.39 The concern of the Conservative Group is that tree roots should not damage pavements or render them dangerous to pedestrians. This is a question of choosing suitable species and planting them in such a way that any effect upon footpaths will be minimised. This is not always within the Council's control, although it may be able to provide advice as to what species might be suitable. Where it is within the Council's control, this is a factor that should be taken into account both in the Council's own planting schemes and in the approval of detailed landscaping conditions. I believe that the word 'suitable' in criterion (ii) to the policy covers the point.

RECOMMENDATION

- 4.40 I recommend that no change be made to the text of Policy D12 or to its reasoned justification.

Policy D13 (Tree protection and enhancement)

Deposit Draft Objections

D13 / 50 / 510	Thames Water Property Services Ltd	
D13 / 279 / 1450	Laing Field & Moat Mount Residents Association	4.3.23
D13 / 263 / 1174	The Finchley Society	
D13 / 284 / 1562	The Barnet Society	4.3.22
D13 / 281 / 1629	Church End Local Agenda 21 Partnership	4.3.21
D13 / 281 / 1631	Church End Local Agenda 21 Partnership	
D13 / 281 / 1630	Church End Local Agenda 21 Partnership	4.3.22
D13 / 15 / 1523	North Finchley Agenda 21 Partnership	
D13/50/510	Thames Water Property Services Ltd	

Support for Policy

D13 / 279 / 1457	Laing Field & Moat Mount Residents Association	4.3.23
------------------	--	--------

Revised Deposit Draft Objections

D13 / 263 / 5550R	The Finchley Society	
D13 / 186 / 5284R	Maisonette Residents	4.3.22

Support for Policy Changes

D13 / 331 / 5329R	Herts & Middlesex Wildlife Trust	4.3.22
-------------------	----------------------------------	--------

Issues

- The extent to which existing trees should be retained;
- The importance of native trees;
- Maintenance requirements;
- Safeguarding infrastructure.

Inspector's Reasoning and Conclusions

- 4.41 As a starting point, it is a desirable objective to retain as many existing trees as possible within a development site. However, detailed decisions should be dependent on a tree survey which should cover, among other things, the size, age, prominence and health of the individual trees. Such surveys should identify those trees that should be retained at all costs, those that it is desirable to retain, those where retention would be desirable but not essential, and those that are not worthy of retention. For reasons of age, health, safety and possibly amenity value (where trees are crowding one another) it will not always be possible or sensible to

retain every tree that is on the site. In such cases, it might be better to plant new trees in their place.

- 4.42 Criterion (i) of Policy D13 (as modified) seeks to ensure that 'as many existing trees of value are retained on site as is practical'. This does not indicate what is meant by 'of value'. I propose below alternative wording that would tie this to an assessment of their health and amenity value.
- 4.43 Dealing with the more detailed objections, I support the modification that expresses a preference for native species in landscaping schemes. Regarding the after care of new landscaping, the five year period cited in paragraph 4.3.22 is a reasonable one that would normally be sufficient to secure the establishment of the scheme. On the protection of sewers, it is incumbent upon developers to establish the routes of underground services and to consult with statutory undertakers where necessary. I see no need to modify the plan in this respect. In terms of the wording 'seek to ensure that', I consider that this is preferable to 'require'. The latter is too absolute and does not provide the degree of flexibility that is often needed in the face of the very different circumstances that may affect different sites.

RECOMMENDATION

4.44 I recommend that:

- (i) Criterion (i) to Policy D13 be modified as follows:
subject to the health and amenity value of individual trees, development schemes retain as many of the existing trees on site as is practicable; and
- (ii) Paragraph 4.3.22 be modified as set out in the Revised Deposit UDP.

Policy D14 (Important hedgerows)

Policy D15 (Other hedgerows)

Deposit Draft Objections

D14 / 263 / 1175	The Finchley Society	4.3.23
D14 / 281 / 1632	Church End Local Agenda 21 Partnership	4.3.23
D14 / 15 / 1524	North Finchley Agenda 21 Partnership	4.3.23
D15 / 15 / 1525	North Finchley Agenda 21 Partnership	4.3.23

Support for Policy Changes

D15 / 286 / 5653R	Barnet Friends of the Earth
D15 / 331 / 5328R	Herts & Middlesex Wildlife Trust

Issues

- The identification of 'important ' hedgerows;
- Extending protection to other important hedgerows.

Inspector's Reasoning and Conclusions

- 4.45 'Important ' hedgerows are only those that meet the definitions set out under the Hedgerow Regulations 1997. As the Council indicates in its response to NFLA there is at present no map or list of these. A survey of

the entire Borough would be a time consuming process and, pragmatically, the Council will have to depend initially on surveys mounted by developers (and subject to verification by the Council). At the Modifications stage, the Council should indicate the likely programme for the creation of a list of 'important hedgerows'; once these have been pinpointed, their protection could be more readily assured.

- 4.46 As the Council says in its response to CELA, there is no statutory control over hedgerows that are not 'important' as defined by the Hedgerow Regulations. However, they could be retained as part of approved landscaping schemes. I support the Council's modification which seeks to encourage the planting of new hedgerows.

RECOMMENDATION

- 4.47 I recommend that:

- (i) No change be made to Policy D14 but that a reference be made in the supporting text to the likely programme for a Council sponsored survey to identify 'important' hedgerows within the Borough;
- (ii) Policy D15 be modified as set out in the Revised Deposit UDP.

Policy D16 (Telecommunications)

Deposit Draft Objections

D16 / 27 / 425	Friends of the Earth (Gina Martin)	
D16 / 202 / 583	British Telecommunications Ltd	
D16 / 71 / 854	Conservative Group - Barnet Council	4.3.27
D16 / 281 / 1633	Church End Local Agenda 21 Partnership	4.3.24
D16 / 281 / 1634	Church End Local Agenda 21 Partnership	
D16 / 94 / 633	One2One Personal Communications Ltd	
D16 / 65 / 681	Vodafone Ltd	

Support for Policy

D16 / 284 / 1565	The Barnet Society	4.3.28
D16 / 45 / 671	Network Rail	

Revised Deposit Draft Objections

D16 / 286 / 5600R	Barnet Friends of the Earth	
D16 / 263 / 6792R	The Finchley Society	4.3.28a
D16 / 263 / 6793R	The Finchley Society	
D16 / 281 / 5772R	Church End Local Agenda 21 Partnership	

Support for Policy Changes

D16 / 202 / 5472R	British Telecommunications Ltd	
-------------------	--------------------------------	--

Issues

- Compliance with national guidance on telecommunications;
- Visual intrusiveness;
- Telecommunications and the Council's own buildings.

Inspector's Reasoning and Conclusions

- 4.48 Government policy on telecommunications is to facilitate the growth of new and existing systems while keeping the environmental impact to a minimum (*PPG8 Telecommunications - August 2001*). The Revised Draft responds to a number of objections made by telecommunications operators and brings the policy into line with PPG8. It adopts the positive tone of the PPG and introduces the word 'significant' into the tests of

adverse effect (criteria i. and ii.). This is a recognition of the fact that masts and aerials will inevitably have some visual impact. At the same time, the policy seeks to minimise the overall impact, for example through mast sharing, through sympathetic design and through landscape screening (criteria iv.-vi.).

- 4.49 I do not agree with One to One that criterion iv. on the sharing of facilities is superfluous. It may also be mentioned in licence agreements but inclusion in Policy D16 will give this option added weight as part of the Council's 'armoury' in seeking to reduce visual impact. I support the addition of criterion vii. which takes into account the visual amenities of neighbouring occupiers. There is a clear distinction between the impact of a development on the wider landscape and how it affects a neighbour. Regarding the possible preclusion of masts on the Council's own buildings, this is not a matter for planning policies to control and no change should be made to this UDP.
- 4.50 I support the new paragraph 4.3.28a which merely acknowledges that in addition to the mobile phone developments pursued by the national operators there are other more minor developments which could be expected to have a lesser impact in visual terms.

RECOMMENDATION

- 4.51 I recommend that Policy D16 and its supporting text be modified as set out in the Revised Deposit UDP.

Policy D17 (High buildings - acceptable locations)

Policy D18 (High buildings - where not acceptable)

Policy D19 (Views of landmarks)

Deposit Draft Objections

D17 / 263 / 1176	The Finchley Society	4.3.30
D17 / 263 / 1177	The Finchley Society	
D17 / 281 / 1636	Church End Local Agenda 21 Partnership	
D17 / 281 / 1635	Church End Local Agenda 21 Partnership	4.3.30
D17 / 86 / 704	Barnet Green Party	
D17 / 15 / 1526	North Finchley Agenda 21 Partnership	
D17 / 15 / 812	North Finchley Agenda 21 Partnership	4.3.31
D18 / 281 / 1637	Church End Local Agenda 21 Partnership	
D18 / 15 / 1527	North Finchley Agenda 21 Partnership	
D19 / 281 / 1638	Church End Local Agenda 21 Partnership	

Revised Deposit Draft Objections

D17 / 342 / 5400R	Level Properties	
D17 / 342 / 5850R	Level Properties	4.3.29
D17 / 281 / 5771R	Church End Local Agenda 21 Partnership	4.3.30
D18 / 342 / 5406R	Level Properties	

Support for Policy Changes

D17 / 286 / 5654R	Barnet Friends of the Earth
D19 / 286 / 5655R	Barnet Friends of the Earth

Pre-Inquiry Change Objections

D17 / 342 / 7221P	Level Properties	4.3.29 – 4.3.30
D17 / 342 / 7220P	Level Properties	
D18 / 342 / 7222P	Level Properties	

Issues

- The appropriateness of tall buildings;
- The design quality required;
- Policies for tall buildings below 30m in height.

Inspector's Reasoning and Conclusions

- 4.52 The London Plan contains two strategic policies relating to tall buildings. Policy 4B.8 addresses their location and states that the Mayor will promote the development of tall buildings where these 'create attractive landmarks enhancing London's character, help to provide a coherent location for economic clusters of related activities and/or act as a catalyst for regeneration. Such buildings must also be acceptable in terms of design and impact on their surroundings'. This is amplified in Policy 4B.9 which emphasises the need for all tall buildings to be 'of the highest quality design'.
- 4.53 The London Plan also indicates that the Mayor will work with the boroughs 'and the strategic partnerships' to help identify suitable locations for tall buildings within their UDPs. In my view this is the missing dimension of Policy D17. It is clear from the present UDP that high quality tall buildings have a place within the Brent Cross/Cricklewood area and in West Hendon, but it is unclear where else they might be acceptable. Through joint studies with the GLA it ought to be possible to define such locations, together with areas where such buildings would be ruled out. In that context, I regard Policies D17 and D18 as interim only. Given the likely timescales for such studies, this is a policy area that needs to be addressed as part of the LDF, the planning system that will replace UDPs.
- 4.54 I would anticipate that the joint studies would apply primarily to buildings of 30m and more in height, although that would be a matter to be decided. Thirty metres is the threshold applied by Barnet in their definition of tall buildings and it is also the level above which planning applications need to be referred to the Mayor of London. But the Barnet definition also encompasses 'buildings which significantly exceed the height of surrounding development'. If Barnet is to promote more intensive development in its more accessible, primarily town centre, areas, that does not necessarily imply 'high rise' buildings, even those of the 20-30m height cited in the objection by NFLA. Thus the future LDF policies will need to reflect the different scales of more intensive development that will be appropriate in different parts of the Borough.
- 4.55 Regarding the two present policies, I agree with CELA that the revised wording in paragraph 4.3.30 reads oddly. In my view, this text needs to be more positively worded and I suggest revised wording. I support the Council's proposed changes to Policy D17, namely criterion (iii) that requires 'the highest design and architectural quality' and (viii) that seeks to 'minimise energy consumption'. The former accords with the London Plan, and the latter with Chapter 3 and the general aims of this UDP. In the last sentence of paragraph 4.3.29, 'visual appearance' is tautological.
- 4.56 I agree with Level Properties that the first criterion to Policy D17 might be misinterpreted. A new design might be well related to an existing high building but that would not necessarily be right, seen overall. I therefore support their revised wording. Criterion vii would require a design statement and that would be the place to consider the relationship to other tall buildings. The word 'proposals' needs to be deleted from that

criterion.

- 4.57 Regarding another objection from CELA, I do not think it is necessary to add a further criterion to Policy D18 to refer to 'areas of predominantly low rise building'. Effectively that would encompass much of the Borough. As modified in the Revised Draft UDP, the text goes far enough by recognising particularly sensitive areas. These include views of local landmarks.
- 4.58 Based on the Revised Deposit UDP revision to Policy D18, there is no need for Policy D19 on the protection of views and landmarks; this is covered by criterion viii to Policy D18. Paragraph 4.3.32, together with Table 4.1 could then precede Policies D17 and D18.
- 4.59 In respect of Map 4.1, the Barnet Society is concerned about the omission of views from Chipping Barnet. The four 'viewing corridors' shown are clearly important ones but their selection does not necessarily mean that there are no others. This is a matter for the Council to review at the Modifications stage.
- 4.60 A number of objectors cite the poor example set by existing high rise buildings in Barnet. I agree that some of these are of indifferent architectural quality. But this simply highlights the need for new tall buildings to set a good example by being of the highest design quality. In respect of Policy D18, Level Properties would like to see some criteria spelled out that would indicate what would be regarded as acceptable. However, it may not be helpful for the Council to go further. First, in any particular case this is a matter of design judgement. Early discussions with the Council about any particular site will be the best way forward. Secondly, there is a danger that generalised criteria might stifle the emergence of innovative schemes that might be entirely right for the sites in question.

RECOMMENDATION

- 4.61 I recommend that:
- (i) Criterion (i) to Policy D17 be modified to read: **are carefully related to their surroundings in terms of their design;**
 - (ii) Criterion (vii) to Policy D17 be modified to exclude the word **proposals;**
 - (iii) Policies D17 and D18 be otherwise modified as set out in the Revised Draft UDP;
 - (iv) The first sentence of paragraph 4.3.30 be reworded as follows: 'In assessing proposals for high buildings, the Council will, among other things, consider the extent to which they would create attractive landmarks enhancing the local or wider area'; and
 - (v) Policy D19 on Views and Landmarks be deleted and paragraph 4.3.32 and Table 4.1 be moved so as to immediately precede Policies D17 and D18 as part of the reasoned justification for those policies;
 - (vi) The extent of the viewing corridors shown on Map 4.1 be re-examined at the Modifications stage; and
 - (vii) Through the future LDF for Barnet new policies be developed that will indicate those locations that are acceptable for high buildings, i.e. those of 30m and above in height, together with lower buildings which still significantly exceed the height of surrounding development.

Policy D20 (Advertisements)

Policy D21 (Hoardings)

Map 4.2 (Areas of special advertisement control)

Deposit Draft Objections

D20 / 281 / 1639	Church End Local Agenda 21 Partnership	4.3.33
D20 / 15 / 813	North Finchley Agenda 21 Partnership	4.3.33
D20 / 284 / 1559	The Barnet Society	
D21 / 263 / 1179	The Finchley Society	
D21 / 281 / 1640	Church End Local Agenda 21 Partnership	4.3.34
D21A / 281 / 1641	Church End Local Agenda 21 Partnership	
map 4.2 / 87 / 1692	Legal & General Property Ltd	
map 4.2 / 284 / 1686	The Barnet Society	

Support for Policy

map 4.2 / 284 / 1560	The Barnet Society	4.3.35
----------------------	--------------------	--------

Revised Deposit Draft Objections

D21 / 263 / 5551R	The Finchley Society
D21 / 281 / 5768R	Church End Local Agenda 21 Partnership

Pre-Inquiry Change Objections

D21 / 376 / 7253P	Outdoor Advertising Association (Adam Smith)	4.3.34
-------------------	--	--------

Support for Pre-Inquiry Changes

D21 / 281 / 6984P	Church End Local Agenda 21 Partnership
-------------------	--

Issues

- Advertisements and signs and their effect upon the environment.

Inspector's Reasoning and Conclusions

- 4.62 I agree with the general proposition that advertisements and signs can 'enhance the quality of our surroundings and contribute colour and variety to the environment'. However, as paragraph 4.3.34 recognises, advertisement hoardings in particular can have a significant adverse effect. In general, they are not compatible with the UDP's aim of securing a better environment. It seems to me that new hoardings are mainly acceptable as a short term measure to screen derelict or vacant sites awaiting development. Otherwise, I am sceptical about their ability to make 'a positive contribution to improving the appearance of a run down area'. Such areas certainly need improvement but I do not agree that they should be singled out as potential sites for advertisement hoardings. That reference should be deleted.
- 4.63 CELA proposes a new policy whereby the Council would review its policies on advertising signs and hoardings and street furniture generally. In its response, I note that the Council intends to review its policies on advertisements and hoardings as part of the UDP review process. I take this to mean as part of the LDF process. Regarding street furniture, I agree with the Council that this is not directly a UDP issue. However, this does not preclude the Council from reviewing its practices through other mechanisms. No change to this UDP is required.
- 4.64 Map 4.2 shows the Borough's Areas of Special Advertisement Control. Two objectors question these boundaries. However, their review falls

outside the scope of the UDP process and no change should be made to the map as part of this process.

RECOMMENDATION

- 4.65 I recommend that Policy D20 and its supporting text be modified as set out in the Revised Deposit UDP and that the following additional changes be made:
- (i) In paragraph 4.3.34, the words 'or where their use makes a positive contribution to improving the appearance of a run down area' be deleted; and
 - (ii) Policy D21 be amended to read:
Advertisement hoardings will not be permitted unless their express purpose is for the temporary screening of derelict or vacant sites awaiting development.

Policy D22 (Design and shopfronts)

Policy D24 (New shopfronts)

Deposit Draft Objections

D22 / 263 / 1178	The Finchley Society	4.3.36
D24 / 281 / 1642	Church End Local Agenda 21 Partnership	

Support for Policy

D22 / 285 / 1671	Woolmead Avenue Residents Association	4.3.36
------------------	---------------------------------------	--------

Issues

- Reconciling shop security with an attractive environment;
- The contribution of shop front design to improving the street scene.

Inspector's Reasoning and Conclusions

- 4.66 The Council has responded to the objection raised by the Finchley Society by adding a new paragraph on the reconciliation of security with a good street environment. As the text indicates, grille shutters allow the goods on display to be viewed when the shops are closed and, in general, they have a much better appearance than do solid shutters which lend themselves to vandalism. I support the new text.
- 4.67 The Council has modified Policy D24 in response to an objection from CELA. The change strengthens the policy's commitment to improving the street scene and I support it.

RECOMMENDATION

- 4.68 I recommend that Policies D22 to D25, and their supporting text be modified as set out in the Revised Deposit UDP.

Policy HC1 (Preserving or enhancing conservation areas)**Deposit Draft Objections**

HC1 / 72 / 700

Medical Research Council

4.3.41

Support for Policy

HC1 / 263 / 1180

The Finchley Society

4.3.38

Issues

- The boundaries of Mill Hill Conservation Area.

Inspector's Reasoning and Conclusions

- 4.69 The objector is concerned about the possible effects on its operations of any enlargement of the Mill Hill Conservation Area. As the Council says, however, the review of its conservation areas involves a process that is separate from that of the UDP.

RECOMMENDATION

- 4.70 I recommend that no change be made to Policy HC1 or to its supporting text.

Policy HC3 (Demolition of unlisted buildings in conservation areas)**Deposit Draft Objections**

HC3 / 72 / 701

Medical Research Council

Revised Deposit Draft Objections

HC3 / 168 / 5395R

Sainsbury's Supermarkets Ltd

HC3 / 263 / 6794R

The Finchley Society

Pre-Inquiry Change Objections

HC3 / 187 / 7343P

Government Office for London

Issues

- The legal position regarding the demolition of unlisted buildings within a conservation area;
- Whether the policy is sufficiently flexible;
- The clarity of the policy.

Inspector's Reasoning and Conclusions

- 4.71 The modification to the wording of Policy HC3 reflects the legal situation and the specific advice of GOL. However I also agree with GOL's PIC objection that policies should provide clarity and certainty while still building in a degree of flexibility. This policy is so worded as to provide no leeway. Thus, if an existing unlisted building provides any degree of positive contribution to the character and appearance of a conservation area, then no demolition (complete or substantial) could take place, regardless of the circumstances. From my reading of PPG15 *Planning and the Historic Environment*, paragraph 4.27, this is not what is intended. There is a general presumption in favour of retaining such buildings but no indication that they should be retained at all costs. Policy HC3 should be redrafted setting out the criteria that would be used to assess such

applications.

- 4.72 In respect of the MRC's objection, I have the same comments as I made in respect of their objection to Policy HC1.

RECOMMENDATION

- 4.73 I recommend that Policy HC3 be redrafted to bring it more into line with the guidance of PPG15 *Planning and the Historic Environment*.

HC3A (New Policy)

Deposit Draft Objections

HC3A / 281 / 1643 Church End Local Agenda 21 Partnership

Issues

- The need to act against owners or landlords who allow their properties to fall into disrepair or become derelict.

Inspector's Reasoning and Conclusions

- 4.74 CELA propose a new policy whereby the Council would take action against owners and landlords who fail to maintain their property. I agree that this is a serious issue that can threaten the living conditions of neighbouring occupiers. It can also have a depressing impact upon the area as a whole. However, this is a matter that should be pursued under the Council's housing powers rather than through this UDP.

RECOMMENDATION

- 4.75 I recommend that no new policy be adopted.

Policy HC5 (Areas of special character)

Deposit Draft Objections

HC5 / 92 / 648 Miss M. Dewing

Issues

- The detailed boundaries of these designated areas.

Inspector's Reasoning and Conclusions

- 4.76 The objector would like to see Mill Hill included within the ASC designation. According to Map 4.3, it would appear that the northern part of Mill Hill, including Mill Hill Village is already included. Having viewed the area, I see no need for any change to the boundary.

RECOMMENDATION

- 4.77 I recommend that no change be made to Policy HC5 or to its reasoned justification.
-

Policy HC6 (West Heath/Golders Hill Park area)**Deposit Draft Objections**

HC6 / 218 / 1095

Middlesex University

4.3.53

Issues

- Provision for development at Ivy House

Inspector's Reasoning and Conclusions

- 4.78 Middlesex University's objection to Policy HC6 is solely concerned with Ivy House. The policy sets out the criteria that developments generally should be expected to meet and I see no need to make any changes. I note that, following the sale of the property and a subsequent PIC, Ivy House has been removed from the Schedule of Proposals in the UDP.

RECOMMENDATION

- 4.79 I recommend that no modification be made to the UDP.

Policy HC7 (Development in West Heath/Golders Hill Park area)**Deposit Draft Objections**

HC7 / 281 / 1644

Church End Local Agenda 21 Partnership

Issues

- The strength of this policy.

Inspector's Reasoning and Conclusions

- 4.80 Further to my recommendation in respect of Policy HC3, again I support the view of GOL that policies of this type should indicate the criteria that a development proposal would be expected to meet. Again this policy should be redrafted on those lines.

RECOMMENDATION

- 4.81 I recommend that Policy HC7 be redrafted to indicate the criteria that development proposals would be expected to meet to render them acceptable when viewed from West Heath and Golders Hill Park.

Map 4.3 (Areas of special character)**Deposit Draft Objections**

map 4.3 / 67 / 504

Welcome Break

4.3.48

map 4.3 / 284 / 1561

The Barnet Society

Issues

- The inclusion of London Gateway Service Area within the ASC boundary;
- Whether the Map should indicate the continuation of ASCs beyond the Borough boundaries.

Inspector's Reasoning and Conclusions

- 4.82 The Revised Deposit UDP omits London Gateway Service Area from the ASC boundary on Map 4.3; this responds to the objection from Welcome Break. This developed area lacks the characteristics of ASCs as set out in paragraph 4.3.48 and I support this change.
- 4.83 The Barnet Society would like to see the ASCs shown on Map 4.3 extend beyond the Borough boundary. For legal reasons, the map should relate just to this development plan area. However, it is important that the 'cross boundary' impacts of any development proposals on the edges of the Borough are taken into account; where these are likely, I would expect the Council to discuss them with neighbouring authorities.

RECOMMENDATION

- 4.84 I recommend that Map 4.3 be modified as shown in the Revised Deposit UDP.

Policy HC9 (Demolition of listed buildings)

Deposit Draft Objections

HC9 / 121 / 819	St. Joseph's College	4.3.59
-----------------	----------------------	--------

Revised Deposit Draft Objections

HC9 / 263 / 6795R	The Finchley Society	
HC9 / 121 / 6831R	St. Joseph's College	4.3.59

Issues

- National guidance regarding the demolition of listed buildings.

Inspector's Reasoning and Conclusions

- 4.85 Policies HC9 and HC10 address the demolition of listed buildings and development proposals/works affecting listed buildings. As modified in the Revised Deposit UDP, the former qualifies the meaning of 'demolition' by referring to 'total or substantial' and it says that 'consent for such demolition will normally be refused'. The Finchley Society seeks the removal of the word 'normally'. However, that change would not accord with the advice of PPG15 which does not rule out demolition in certain circumstances. Such proposals would need to address the considerations set out in PPG15, paragraph 3.19.
- 4.86 Further to my comments in respect of Policy HC3, this policy needs to be redrafted so as to be criteria based. Those criteria should reflect the considerations listed in PPG15. Policy HC10 should also be criteria based taking into account the advice of PPG15 as modified by Circular 14/97, Appendix E. I consider that, suitably reworded, the two conditions together would cover the range of situations envisaged by St Joseph's College. There is no need for the additional condition proposed by the

College. I support the PIC to paragraph 4.3.57.

RECOMMENDATION

4.87 I recommend that:

- (i) Policies HC9 and HC10 be redrafted to make them criteria based; and
- (ii) Paragraph 4.3.57 be amended as set out in the Council's PIC.

Policy HC11 (Change of use of listed buildings)

Deposit Draft Objections

HC11 / 121 / 820 St. Joseph's College 4.3.61

Revised Deposit Draft Objections

HC11 / 121 / 6832R St. Joseph's College 4.3.61

Issues

- Whether the policy is too onerous.

Inspector's Reasoning and Conclusions

4.88 This policy is reasonably well balanced. It seeks in the first instance to retain buildings in their original use which I agree will often be an important part of their historic character. But it does not preclude a change of use where the original one is no longer viable, subject to the physical impact of the changes on the building and its setting.

RECOMMENDATION

4.89 I recommend that no change be made to Policy HC11.

Policy HC12 (Setting of listed buildings)

Revised Deposit Draft Objections

HC12 / 168 / 5401R Sainsbury's Supermarkets Ltd

Pre-Inquiry Change Objections

HC12 / 263 / 6944P The Finchley Society

HC12 / 263 / 6937P The Finchley Society

Issues

- The degree of protection afforded by the policy.

Inspector's Reasoning and Conclusions

4.90 The legal duties of planning authorities are clear. In considering proposals which could affect the setting of a listed building, they are required to have regard to the desirability of preserving that setting. This does not preclude such development but this is a powerful material consideration. The reasoned justification should refer to that legal duty and, in line with

my recommendations elsewhere in this section, the policy itself should be reworded so that it reads more positively.

RECOMMENDATION

4.91 I recommend that:

- (i) Policy HC12 be reworded as follows:

Development proposals should respect the setting of a listed building or a group of listed buildings; and

- (ii) Paragraph 4.3.62 include a reference to the relevant legislation.

Policy HC14 (Demolition of locally listed buildings)

Policy HC15 (Locally listed buildings)

Deposit Draft Objections

HC14 / 281 / 1645	Church End Local Agenda 21 Partnership	4.3.67
-------------------	--	--------

Revised Deposit Draft Objections

HC14 / 168 / 5398R	Sainsbury's Supermarkets Ltd
HC14 / 317 / 5622R	Beechwood Homes Ltd
HC15 / 168 / 5397R	Sainsbury's Supermarkets Ltd

Pre-Inquiry Change Objections

HC14 / 263 / 6931P	The Finchley Society	4.3.66
HC14 / 286 / 7198P	Barnet Friends of the Earth	

Support for Pre-Inquiry Changes

HC14 / 281 / 7092P	Church End Local Agenda 21 Partnership	4.3.66
--------------------	--	--------

Issues

- Whether the right balance has been secured for works affecting locally listed buildings.

Inspector's Reasoning and Conclusions

4.92 If the Council accepts my recommendations regarding listed buildings, the UDP's policies regarding locally listed buildings would need to be brought into line. Clearly the degree of protection afforded to them cannot be greater than that provided to buildings of nationally recognised quality. I recommend new wording.

RECOMMENDATION

4.93 I recommend that:

- (i) Policy HC14 be reworded as follows:

The Council will resist the demolition of locally listed buildings and structures. Where there are compelling reasons for demolition, the Council will seek to ensure that the proposed replacement building is a fitting replacement for the original one;

- (ii) Policy HC15 be reworded as follows:
- Development proposals affecting locally listed buildings and structures should seek to safeguard their character, appearance and setting;** and
- (iii) In respect of paragraph 4.3.66, the Council's PIC be not proceeded with but that the wording of the paragraph be redrafted to reflect the proposed new wording for policies HC14 and HC15.

Policy HC16 (National archaeological remains)

Deposit Draft Objections

HC16 / 263 / 1182	The Finchley Society	4.3.73
HC16 / 221 / 628	Hendon & District Archaeological Society	4.3.76

Issues

- Whether sufficient priority is afforded to the protection of archaeological remains.

Inspector's Reasoning and Conclusions

- 4.94 This policy seeks to safeguard archaeological remains. Together with Policy HC17 and the reasoned justification, it achieves this. I have no objection to the proposed modification to paragraph 4.3.73 that removes the word 'normally' in respect of the protection to be given to nationally important remains.
- 4.95 The objection made by the Hendon and District Archaeological Society relates to the archaeological finds being made public. This is a desirable aim and I address this matter further under Policy H20.

RECOMMENDATION

- 4.96 I recommend that paragraph 4.3.73 be amended as set out in the Revised Deposit UDP.

Policy HC20 (Archaeological site evaluations)

Deposit Draft Objections

HC20 / 221 / 632	Hendon & District Archaeological Society	4.3.78
HC20/182/980	Lafarge Redland Aggregates Ltd	4.4.78

Issues

- Recording and publicising archaeological finds.

Inspector's Reasoning and Conclusions

- 4.97 It is important that proper public records are kept of significant archaeological finds and that the public is kept informed. I am less certain about how this should most effectively be done given the variety of possible situations. This should be a matter for discussion between the Council and appropriate bodies with a view to necessary changes being

made at the Modifications stage.

- 4.98 I have no objection to the small change to paragraph 4.3.78 set out in the revised Deposit UDP.

RECOMMENDATION

- 4.99 I recommend that:

- (i) The Council, in consultation with interested parties, give further consideration to the need both to record archaeological finds and to make these public; and
- (ii) Paragraph 4.3.78 be amended as set out in the Revised Deposit UDP.

Policy HC21 (Historic parks and gardens)

Deposit Draft Objections

HC21 / 263 / 1185	The Finchley Society	
HC21 / 31 / 658	Garden History Society	4.3.80
HC21 / 15 / 1528	North Finchley Agenda 21 Partnership	

Support for Policy

HC21 / 31 / 662	Garden History Society
-----------------	------------------------

Revised Deposit Draft Objections

HC21 / 263 / 5552R	The Finchley Society
HC21 / 31 / 6997R	Garden History Society

Pre-Inquiry Change Objections

HC21 / 221 / 6880P	Hendon & District Archaeological Society	4.3.78
--------------------	--	--------

Issues

- The degree of protection afforded to historic parks and gardens.

Inspector's Reasoning and Conclusions

- 4.100 This policy fully reflects the aims of PPG15. The sites in question are of national importance and this justifies the strengthened wording contained in the Revised Deposit UDP modification. So amended, I consider that the wording goes far enough.

RECOMMENDATION

- 4.101 I recommend that Policy HC21 and its supporting paragraphs be modified as set out in the Revised Deposit UDP.

Policy HC22 (Battlefield site)

Support for Policy

HC22 / 84 / 650	Ms Vivian Dalling
-----------------	-------------------

Issues

- Protecting the setting of battlefields as well as the site itself.

Inspector's Reasoning and Conclusions

- 4.102 The Council's modification responds to the objection by extending the protection afforded to the site of the Battle of Barnet to encompass its setting. I support the change.

RECOMMENDATION

- 4.103 I recommend that Policy HC22 be modified as set out in the Revised Deposit UDP.
-