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Letter sent by email to Programme Officer Ian Kemp [ikemp@icloud.com](mailto:ikemp@icloud.com)

FAO Inspectors Gareth Wildgoose BSc (Hons) MSc MRTPI and  
Mark Philpott BA (Hons) MA MRTPI

28<sup>th</sup> July 2023

Dear Inspectors

**Inspectors' request for clarification following consultation on Examination Documents arising from the hearing sessions.**

This letter is the Council's response to your letter of 27<sup>th</sup> June 2023 in which a number of clarification issues relating to the suite of Examination Notes have been set out. The Council's response to each point is as follows :

**Brent Cross Growth Area**

1. The Council has revisited the figures for Brent Cross and clarified with the development partners the delivery expectations with regard to the build out of the consented scheme by 2036. The figure of 7,500 residential units reflects the number of homes approved under the S73 Permission F/04687/13 and, as set out in EB\_SOCG\_19, is expected to be built out by 2036 and therefore within the lifetime of the Plan. The Council will therefore revise the Housing Trajectory (EXAM 87) in order to reflect up-to-date delivery expectations of the S73 Permission (F/04687/13) with a breakdown of the 7,500 units between Brent Cross Town (6,700 units (of which Student Housing accounts for the equivalent of 787 units) and Brent Cross North (800 units). The delivery of the consent is shown in the Trajectory across the following 3 sites: Brent Cross Cricklewood - Brent Cross Town; Brent Cross Cricklewood - Brent Cross Town (Plots 25, 28 and 56 Student Housing); and Brent Cross Cricklewood - Brent Cross North. Table 5 will be revised to show delivery of the 7,500 units within the lifetime of the Plan.

**District Town Centres**

2. The sites from the Housing Trajectory which make up the housing numbers for each of the District Town Centres (GSS08) are set out in Table 1.

**Table 1 – New Homes from District Town Centres - 2021 to 2036**

District Town Centre	Sites in Housing Trajectory	Total Units (Rounded down in Table 5)
Brent Street	N/A	0

Burnt Oak	200 Stag House (17/8140/FUL) 51 units 100 Burnt Oak Broadway (19/1049/FUL) 100 units	151 (150)
Chipping Barnet	Site 45 – Land at Whalebones – 110 units Site 43 – Army Reserve Depot – 193 units Site 44 – High Barnet Station – 292 units	595 (590)
Colindale – The Hyde	N/A	0
East Finchley	Site 23 – Bobath Centre, East Finchley – (21/2602/FUL) – 25 units Site 24 – East Finchley Station car park – 135 units Site 26 – Park House – 19 units Site 25 - East Finchley substation (21/5217/FUL) – 9 units 12 – 18 High Road (18/5822/FUL) – 24 Units	212 (210)
Finchley Central Church End	Site 30 – Finchley Central Station - 556 units Site 59 – Central House – 42 units Site 62 – Tesco Finchley – 170 units	768 (760)
Hendon Central	N/A	0
Golders Green	N/A	0
Mill Hill Broadway	Site 33 – Bunns Lane car park – 43 units Site 48 – Mill Hill Library – 10 units	53 (50)
New Barnet	Site 16 – 45 – 69 East Barnet Road – 105 units Site 19 – East Barnet Shooting Club – 43 units Site 20 - Fayers Building Yard and Church – 25 units Site 21 – New Barnet Gasholder – 201 units Site 22 – Sainsburys, New Barnet Town Centre – 199 units Site 52 - Kingmaker House (19/5403/FUL) (19/1952/PNO) – 137 units  Salvation Army Hall, Albert Road (17/5522/FUL) – 39 units  Victoria Quarter (Former East Barnet Gas Works) (B/04834/14) – 371 units  183 Victoria Road (19/3313/FUL) – 15 units	1135 (1130)
North Finchley	Site 64 – 744 -776 High Road – 175 units Site 66 – East Wing – 125 units	1045 (1040)

	Site 57 – 309 – 319 Ballards Lane – 130 units Site 58 – 811 High Road and Lodge Lane car park – 132 units Site 60 – Finchley House – 202 units Site 61 – Tally Ho Triangle – 281 units	
Temple Fortune	N/A	0
Whetstone	Site 53 – Allum Way – 599 units Site 54 - Barnet House (21/3726/FUL) – 260 units	859 (850)
<b>District Town Centres Total</b>		4818 (4780)

### Estate Renewal and Infill

3. The sites from the Housing Trajectory which make up the housing numbers for Estate Renewal and Infill (GSS10) are set out in Table 2. These are all consented schemes. Development at Grahame Park Estate is expected to extend beyond 2036.

**Table 2 – New Homes from Estate Renewal and Infill – 2021 - 2036**

<b>Housing Estate - Sites in Housing Trajectory</b>	<b>Total Units (Rounded down in Table 5)</b>
Douglas Bader Park Estate (20/6277/FUL)	482 (480)
Grahame Park Estate (19/5493/OUT)	1824(1820)
Fosters Estate (19/2517/FUL)	189(180)
West Hendon Estate (H/01054/13)	1031(1030)
Granville Road (F/04474/14)	132 (130)
Dollis Valley (B/00354/13)	194(190)
Westthorpe Gardens (18/7495/FUL)	149 (140)
<b>Estate Renewal and Infill Total</b>	4001 (3970)

### Major Thoroughfares

4. Within EXAM57 the Council, in response to the Inspectors questions, provided a justification and explanation for the selection of roads within GSS11 and any omissions, including (but not limited to) the A110, A502, A5109 and M1. The Inspectors have asked for further clarification on the exclusion of other A Roads within the Borough and have highlighted that EXAM57

indicates that the Council has at least a partial reliance upon Public Transport Accessibility Levels (PTAL) for determining whether certain A-roads should constitute Major Thoroughfares for the purposes of Policy GSS11 of the Plan.

5. The Council considers that within EXAM57 it has set out that the Major Thoroughfares are about more than just a good PTAL rate. An A road is generally defined to be among the widest, most direct roads in an area, and will be of the greatest significance to through traffic. The selected routes in GSS11 have better connectivity between town centres and their good PTAL reflects a range of public transport options along the routes. As historic routes, leading to and from London, the A5 and A1000 have in the main lost residential character to big box development. The Council's main aim through GSS11 is to bring these specific routes back into use as residential locations, restoring character through the redevelopment of former commercial uses, opening opportunities to attract investment and for more sustainable and efficient use of land as well as reducing dependence on the car as a mode of transport. It also helps to deliver the Healthy Streets Approach.
6. These characteristics of good PTAL and connectivity are also reflected by the A504, A598 and A110. The A504 has an average PTAL score of 4 and connects Hendon Central, Brent Street and East Finchley town centres, while the A598 connects North Finchley, Finchley Church End, Temple Fortune and Golders Green town centres and also benefits from an average PTAL of 4. The A110 connects the town centres of New Barnet and Chipping Barnet and has an average PTAL score of 4.
7. The Council has set out within EXAM57 clarification on the policy approach with regards to the A406, A1 and A41 and the long term opportunities they offer. This is supported by proposed modifications to GSS11 and supporting text.
8. The other A Roads of Barnet (A5150 - Colindeep Lane, A502 - Golders Green Road / Brent Street, A410 - Spur Road, A1003 - Woodhouse Road / Friern Barnet Road, A5109 - Totteridge Common / Totteridge Lane, A109 - Oakleigh Road North / Oakleigh Road South, A411- Wood Street and A1081 - St Albans Road) do not afford the opportunities of the GSS11 Major Thoroughfares. These routes tend to be shorter than the GSS11 ones, they do not connect town centres with each other, have lower PTAL and less public transport options as well as less big box development. The A5109 and A1081 have a more rural character as they traverse Barnet's Green Belt.
9. The Council, through the Local Plan, wants to encourage the development of small sites and provide a positive environment for such developments in areas with good access to public transport and local services. With proposed modifications to Policy GSS01 there is opportunity to increase housing supply from small site development along these routes. It is the Council's view that specific reference to these other A Roads is not merited in GSS11 and to make such reference would be to weaken the focus of the spatial approach.

## **Climate Change**

10. In respect of the requirements of Policy ECC01 para d ii) relating to minor developments, the Council was asked to provide justification for seeking a carbon reduction target of at least 6% beyond Part L of the latest Building Regulations. Notwithstanding what is stated in EXAM 70, para 6 of your letter requests further explanation of the locally derived evidence relied upon to justify the Council's intended approach.
11. The Council considers that the WMS 2015, [Written statements - Written questions, answers and statements - UK Parliament](#), providing an exemption for small housing sites of 10 units or fewer, is now of limited relevance. This is because, as explained further below, it has been largely overtaken by events and does not reflect Part L of the Building Regulations, the Future Homes Standard, or the legally binding commitment to bring all greenhouse gas emissions to

net zero by 2050. The UK Government declared a climate emergency in 2019, with the principal aim of achieving net zero emissions by 2050. In response, many local authorities across the UK have, like Barnet, declared a climate emergency recognising the need for robust local action.

12. The Mayor of London has also declared a climate emergency and, in setting a target for London to be net zero by 2030, has placed London at the forefront of global cities and UK action on climate change. The London Plan ensures that the planning system is playing its part in achieving the net zero target.
13. The achievement of on-site carbon reductions that can normally be achieved beyond Part L of the Building Regulations 2021 will vary for different development types. However, over time it is expected that performance will improve to enable developments to achieve closer alignment with the energy efficiency targets and the minimum 35 per cent on-site improvement due to technological improvements and as costs come down. GLA advise that they will monitor this progress and may update the benchmarks to reflect these improvements as appropriate. Also, that in the intervening period, applicants should continue to aim to maximise on-site carbon reductions as far as possible. The GLA advice is set out in the [EAG cover note June 2022 Nov update 0.pdf](#) and [Energy Planning Guidance | London City Hall](#)
14. In May 2022 the Council declared a climate and biodiversity emergency, ensuring that Council operations are Net Zero by 2030, and the Borough is Net Zero by 2042. The largest contributor to carbon emissions across the Borough are residential buildings. Three quarters of these emissions come from heating and water, which are mostly powered by fossil fuels; with the rest produced by lighting appliances and water, which are mostly powered by grid electricity.
15. Although, the Council has limited influence over privately owned homes and buildings, there is still the potential for action through signposting and supporting residents to access and utilise government schemes. Additionally, the Council has been successful in working to retrofit a proportion of its social housing, with the potential for further funding to arise to assist with similar action from private landlords and homeowners. It is therefore important we do as much as possible to ensure that both new and existing buildings are built to the highest efficiency standards.
16. As further evidence of the Council's ambition, Barnet is one of 18 London boroughs participating in a study by Etude consultancy that aims the delivery of Net Zero carbon development. Following the emergence of new London Plan requirements and Building Regulations Part L in 2021, Barnet is taking part in this GLA project to introduce a Net Zero Carbon building policy in line with the emerging industry definition of Net Zero Carbon new buildings. This will provide an updated evidence base to support planning policies which deliver Net Zero Carbon developments. An executive summary of Delivering Net Zero report is attached at Appendix A. In order to go further than Part L of the Building Regs and achieve true net zero standards in new development, this latest evidence has considered two policy options. Policy option 1 continues using the Part L framework as for the last 10-15 years, whereas Policy option 2 is a new approach based on a suite of energy-based metrics and policies. It is intended that this report provides an evidence base upon which LPA planners can decide how to best assess energy and carbon reduction requirements for developments. Liaising with the GLA, discussions involving the participating boroughs are taking place with the outcome then informing the next iteration of the Mayor's London Plan together with the content and drafting of relevant policies in borough local plans. Meanwhile, the Council intends to use the existing method (Policy Option 1) that accords with London Plan / GLA reporting, whilst also being receptive to considering how, in the next review of the Barnet Local Plan and any accompanying SPD, Policy Option 2 might be achieved.

17. Issues around viability have been explored and the Council's evidence (Core\_Gen\_01) shows that the impact of the additional costs arising from climate change policies will vary between schemes and between locations across the Borough. This evidence concludes that where viability is already marginal other policy requirements may need to be reduced to compensate for these costs. Whilst in lower value areas, there may be a need for a trade-off of affordable housing to accommodate the higher climate change costs, in higher value areas, the trade-off required is likely to be significantly lower as there will be more 'surplus' residual value in excess of existing use values. Where schemes are more viable and residual land values exceed benchmark land values by a greater margin, the Council's viability evidence finds that there would be no need for any reduction in affordable housing. Overall, therefore, the Council maintains that the carbon reduction target requirements upon minor developments are likely to have little overall effect on housing delivery, whilst in contrast there is a need to address the cumulative impact of minor developments not achieving net zero.
18. The Council highlights that recently adopted development plans in Cornwall and Bath and North East Somerset (BANES) contain ambitious climate change policies which include net zero carbon construction targets for new residential development. Given the uncertainty of the Future Homes Standard the BANES local plan, in pursuing a zero carbon construction standard for residential development, has gone further in changing the metric from carbon reduction to energy use. This has the advantages of not relying on Part L of the Building Regulations as a baseline, (so not needing to be changed each time Part L changes), and also energy metrics are considered to be more robust leading to better outcomes.
19. The Council also makes reference to new legal advice commissioned by Essex Climate Action Commission and Essex County Council. The open advice document [essex-open-legal-advice-energy-policy-and-building-regulations.pdf \(essexdesignguide.co.uk\)](https://www.essexdesignguide.co.uk/essex-open-legal-advice-energy-policy-and-building-regulations.pdf) establishes the legal justification for requiring higher targets for energy performance standards for development than the national baseline.
20. in summary therefore, the Council has adopted a Net Zero carbon emissions target for the Borough by 2042 and believes that urgent action is required to help deliver carbon reduction actions to achieve this target. Policy ECC01 represents an important step on the Council's journey towards the delivery of net zero carbon buildings and future proof ahead of the Future Home and Buildings Standards being introduced in 2025 ("2025 Standards"), which will require more significant cuts to carbon emissions, when all new dwellings will need to reduce emissions by at least 75% and the use of fossil fuel-based heating will be banned.

### **Barnet's Parks and Open Spaces**

21. The Council is asked to provide further clarification on the evidence that justifies the proposed standards for provision of play space and playing pitches in Policy ECC04 part b) (ii) of the Plan. Additional explanation is required as EXAM66 proposes a standard of 0.5 sqm per child for play space and that the 'majority' of residents are within 1.2km of a playing pitch. In contrast, the Open Space, Sports and Recreational Facilities Assessment (EB\_GI\_01) identified a standard of 0.9ha per 1000 children for play space and a playing pitch standard of 0.75ha per 1000 population. The Inspectors, therefore, need to understand the specific evidential basis upon which the proposed standards in EXAM66 are based and when assessing an application, how the surplus and deficits would be intended to be calculated for the purposes of Policy ECC04 on a per person basis for play space and playing pitches.
22. NPPF (para 99) and London Plan Policy G4 seek to protect existing open space, sports and recreational buildings and land, including playing fields from development. Exceptions to this are where it can be clearly shown to be surplus to requirements, equivalent local provision is made or the development is for alternative sports and recreational provision, the benefits for which outweighs the loss of the current or former use. The London Plan states that boroughs should undertake an open space needs assessment that should take into account all types of open space, including open space that is not publicly accessible, to inform local plan policies

and designations. Table 8.1 - Public open space categorisation, in the London Plan gives examples of typical open space typologies in London. This includes:

- i) District Parks - providing a wide range of activities, including outdoor sports facilities and playing fields, children's play for different age groups and informal recreation pursuits. Giving a size guideline of 20 ha in size within 1.2 km.
- ii) Local Parks and Open Spaces - providing for court games and children's play, with a size guideline of 2 ha size within a distance of 400 m.

23. The aim is to maximise the on-site provision of a range of publicly accessible open spaces for a range of users. Provision should be on-site unless the size and typology of space that the development generates a need for, with the exception of a Local Area of Play, is already within 400 metres by a direct and safe walking route.
24. Where public open space is not being provided on site, a financial contribution will be sought to improving the quality and/or accessibility of existing open space provision.
25. In applying Policy ECC04, together with London Plan Policy G4 and the Mayor's Play and Informal Recreation SPG (EB\_GI\_06), realistic opportunities for additional public open space will be sought wherever possible on all new residential development with the potential occupancy of 10 or more child bed spaces. New provision will particularly be sought within areas identified as being deficient in open space.
26. The standards for open space to be applied for a development are derived from and supported by evidence in the Barnet 'Open Space, Sport and Recreational Facilities Needs Assessment' (BPOSS) (EB\_GI\_01). This evidence applied three factors; quantity, quality and accessibility of open space to the existing open space in the borough to create a standard for Barnet. Accordingly, in relation to children's play space and playing pitches new developments should ensure provision in line with these standards:
  - Children's play (0.09 hectares per 1,000 residents)
  - Sports pitches (0.75 hectares per 1,000 residents).
27. The Mayor's SPG (para 5.4.5) states that "formal play provision should normally be made on-site and provide at least 10m<sup>2</sup> per child to address child occupancy and play space requirements generated by a development proposal. The 0.5m<sup>2</sup> per child under 15 years reference in EXAM66 picks up on what is stated in para 10.20.1 of the draft Plan when making reference to the 50 public parks in Barnet that provide formal play space for children. However, the Council agrees that the standard for children's play that should be applied is that set out in the BPOSS evidence and referred to in para 10.19.3 of the draft Plan.
28. In relation to playing pitches the benchmark guidelines in the 2020 Fields in Trust Guidance for England [Guidance-for-Outdoor-Sport-and-Play-England.pdf \(fieldsintrust.org\)](https://www.fieldsintrust.org/) recommended benchmark guidelines for playing pitches are a quantity of 1.2ha per 1000 population, and in terms of walking distance dwellings should be within 1,200m of a playing pitch.
29. Para 7 of your letter also requests an explanation of how, in assessing an application, the surplus and deficits are calculated on a per person basis for play space and playing pitches. As explained in the Planning Obligations SPD (CS\_106\_01) the Council expects on-site provision to be delivered via a planning condition. Development proposals should make communal play provision for under-fives on-site where suitable provision does not already exist within a walking distance of 100 metres. Development proposals which include units with private outdoor amenity space (gardens) may have the yield for under-fives discounted. Where communal outdoor amenity space is provided it may be appropriate to count it towards a play space requirement where it is genuinely playable. In exceptional circumstances where it can be demonstrated to the Council's satisfaction that it is not possible to provide play space for the under-fives on site, a S106 is required and the maximum walking distance for under-fives should be within 100 metres.

30. The Council recognises that it may be more appropriate to meet the needs of older children off site to ensure that a suitably sized facility is provided either as new provision, or through a pooled contribution towards expanding existing provision depending on the proximity and scale/quality of existing play space provision. Off-site provision is usually provided via a S106 and accessible facilities for older children should be within 400 metres for 5-11 year olds or within 800 metres for the 12 plus age group. Ease of access is a consideration as barriers such as major roads and railways can reduce potential use of a playground. The Mayor's SPG (EB\_GI\_06) sets a range of sizes of play space in Section 4 with further detail on design. Where an off-site contribution is provided via a S106 it should be sufficient to cover the costs associated with developing the same facility on-site. Where appropriate the S106 can also be used to identify the delivery of a specific piece of equipment or feature in a specific location.
31. The Council can confirm that consultants have been appointed to produce a new Barnet Parks and Open Spaces Strategy as well as a Local Nature Recovery Strategy. The Council expect to have a full project programme for this work by Autumn 2023. This refresh of evidence will then be used to inform the next review of Barnet's Local Plan.

### **Biodiversity**

32. In relation to biodiversity (Policy ECC06) the Inspector has requested :
- a detailed explanation of the existing designations in the extant Local Plan which it is proposed be taken forward in the Policies Map and which are considered would meet the specified requirements of para 179 of the NPPF and/or whether further additions will be required to the Policies Map to accord with the available Green Infrastructure evidence; and
  - confirmation of whether the proposed further modification to Policy ECC06 part b) relates to the Local Nature Recovery Strategies and Nature Recovery Network as referred to in the proposed para 10.26.10A in EXAM4; or otherwise to provide further clarification of the Council's intentions with respect to Policy ECC06 part b).
33. The map (previously referred to as the 'proposals map') that formed part of the adopted Unitary Development Plan (2006) (Core\_04) was retained as the basis for the Policies Map that accompanies the extant 2012 Local Plan. With specific relevance to para 179 of the NPPF, in addition to showing Green Belt boundaries and areas of Metropolitan Open Land, the existing designations depicted on this map are:
- Green Chains
  - Site of Special Scientific Interest
  - Sites of Metropolitan Importance for Nature Conservation
  - Sites of Borough Importance for Nature Conservation
  - Sites of Local Importance for Nature Conservation; and
  - Local Nature Reserves.
34. The sites within Barnet with importance for nature conservation are listed in Table 22 of the draft Barnet Local Plan. All of these designations, (for which the boundaries of areas will have been checked and revised where necessary), are being carried forward onto the Policies Map that is being prepared to accompany the emerging Local Plan. In terms of mapping therefore, the current combination of spatial data sets that includes the SINC, LNR, SSSI, Green Belt and Metropolitan Open Land show the extent of the natural spaces within Barnet and how they link together.
35. Having regard to NPPF para 179, the Council can confirm that there are no additional Policies Map designations for which it is proposed adding layers. However, it is the Council's intention that a draft of the Policies Map be made publicly available alongside the main modifications that are formally consulted on in due course.



36. In respect of the second query raised in relation to biodiversity, the Council can confirm that the proposed modification to policy ECC06 relates to the Local Nature Recovery Strategies (LNRs) and Nature Recovery Network (NRN) as referred to in the proposed modifications - responding to representations received from Natural England - and proposed in EXAM4 (MM282 proposing additional para 10.26.10A refers). Following adoption of the Local Plan, the Council has also signalled the intention to revise and update the 2017 Green Infrastructure SPD. It is therefore intended that this forthcoming review of the Green Infrastructure SPD will afford the opportunity to provide more detailed guidance and information regarding future development of the LNRs and the associated NRN as required by the Environment Act 2021. This will serve to build upon the current data sets in seeking to provide a more comprehensive understanding of the importance of these land masses and their contribution and relevance to biodiversity.

### **Transport Infrastructure**

37. The Council's proposed modifications to TRC02 are set out in EXAM49. It was intended that the new section to Policy TRC02C which references Barnet's Strategic Transport Assessment (STA) (EB\_T\_03) and the capacity enhancements required would meet the objective as set out in EXAM23. However, upon reflection the Council proposes that in order to show what improvements are required to support cumulative growth Table AA Transport Infrastructure Improvements (see Appendix B) be added to the Transport Chapter 11. This will help further clarify the STA requirements needed to support the delivery of growth. An additional modification is proposed for TRC02C to provide a cross-reference to the Table.
38. Your letter requests, at points 12 and 13, an update on engagement with National Highways regarding transport modelling and progress on revisions to the Statement of Common Ground (EB\_SoCG\_18) since September 2022. The Council have made numerous attempts to engage with National Highways and address their issues since December 2022 with a particular focus on resolving the issues around the transport modelling of the Strategic Transport Assessment.
39. In their e-mail of July 7<sup>th</sup> National Highways have now confirmed that they are generally content that the Local Plan impacts on the strategic road network under their responsibility, in this case the M1, would not be more than marginal at M1 Junction 1, Junction 4 and the northbound Junction 2 merge. With regards to M1 Junction 2 southbound diverge National Highways have now requested further assessment because of concerns that the addition of non-consented Local Plan development will add over 100 vehicles per hour at the southbound diverge in the morning peak hour, making a potential safety risk worse. National Highways consider that mitigation is required through the Local Plan to ensure that the traffic impacts at the diverge following development leave the network no worse off at this location.
40. Notwithstanding that National Highways have raised this issue about M1 Junction 2 southbound at such a late stage in the EIP, we are working to address these specific concerns with National Highways.
41. The Council have been in contact with National Highways noting the concerns expressed about the design of the slip lane at Junction 2 becoming deficient in the last 5 years of the Local Plan. Based on the correspondence so far with National Highways it appears to the Council that the junction is already deficient in design terms and would need redesign without any increase in traffic associated with any of the Barnet local plan scenarios detailed in the STA. We have also highlighted that National Highways appear to ignore the potential demand management measures detailed within the STA which could be introduced in future years by the Council (and those the current Mayor has – and future Mayors may - introduce at regional level). These will have the effect of reducing demand at this junction. We also note that

National Highways has offered no details of any demand restraint measures it is considering, or putting into place on its own network which could reduce traffic demand or impacts.

42. The Council's position is that it cannot accept National Highway's assertion that the Borough is responsible for and needs to develop a scheme of mitigation for this junction. In addition we have noted that the road the junction serves in this location is controlled by TFL, we have therefore contacted TFL to make them aware of the situation.
43. With regards to other National Highways representations on the Local Plan the Council had initially signalled its intention to make modifications to resolve objections on drainage, advertisements and consultations on planning applications for more than 50 residential units. In the absence of justification from National Highways, the Council was unable to provide sufficient justification in support of these modifications during the oral hearing sessions of the Examination in Public. Consequently, following a period of reflection the Council has signalled the withdrawal of these modifications through EXAM Notes on ECC02 and CDH09.
44. The Council's focus is on resolving the issues around M1 Junction 2 southbound and seeking agreement with National Highways on this specific matter. However, in doing so it seeks to avoid further delaying the Examination whilst a revised SoCG is agreed.

#### **Delivering the Local Plan**

45. Your letter requests, at point 13, clarification, in the absence of a bespoke policy, on the prioritisation of planning obligations. The Council notes that there is no requirement in the NPPF to have a policy on planning obligations.
46. In practice, the main considerations for planning obligations in the Borough will be affordable housing and transport (if being sought in accordance with the Regulation 122 tests). Therefore the Council would be content to rely on London Plan Policy DF1 - Delivery of the Plan and Planning Obligations in this respect. The Council proposes to make a further proposed modification at para 12.6.4A as follows:

Where the Council is satisfied through an independently verified viability assessment that it is not possible for the development proposal to provide the required contributions then the provision of affordable housing and necessary transport infrastructure will be prioritised in accordance with London Plan policy DF1 - Delivery of the Plan and Planning Obligations.

47. The Council is in the process of drafting a Planning Contributions SPD which will provide further guidance on contributions expected from development.

#### **Edgware Hospital and Finchley Memorial Hospital**

48. Responding to the request for an update in paras 14 and 18 of your letter, the Council can confirm that no reserved matters applications have been submitted to the Local Planning Authority to date for either of the abovementioned sites. The Council has subsequently sought clarification on the timing of reserved matters applications for both outline consents.
49. In the absence of an update on the reserved matters application the Council proposes to move the 129 units from 21/0274/OUT for Edgware Hospital from 'deliverable' in year 5 of the Plan to 'developable' in years 6 to 10.
50. With regards to Finchley Memorial Hospital the Council stated in March 2023 through EXAM 86 – Note on Housing Trajectory Land that the NHS Community Health Partnership was keen to regain momentum on this scheme with applications for reserved matters expected soon. On that basis the Council considered it a reasonable assumption to have this delivered by year 5 of the Trajectory. In the absence of an update on the reserved matters application

the Council proposes to move the 130 units from 20/4343/OUT from 'deliverable' in year 5 of the Plan to 'developable' in years 6 to 10.

### **Site Allocations – Hendon Hub**

51. Your letter requested further explanation of the specific residential apportionment of planning applications (21/4709/FUL and 21/4722/FUL) with regards to the Hendon Hub and proposal sites 35, 36, 38, 40 and 41. Clarification was also requested on the ratios that were used in EXAM75.
52. The Council can clarify how it has broken down the residential numbers, including student accommodation, within the consents (21/4709/FUL and 21/4722/FUL) and apportioned them to the site proposals. We applied a ratio of 2.5 student rooms as equivalent to 1 standard housing unit in line with the London Plan ratio of 2.5 student rooms per standard housing unit. The Council acknowledges that this was not correctly reflected in the Housing Trajectory (EXAM87) nor EXAM36. We can also confirm that numbers have been rounded down.
53. 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.' This para 4.1.9 also clarifies that 'net non-self-contained accommodation for older people (C2 Use Class) should count towards meeting housing targets on the basis of a 1:1 ratio, with each bedroom being counted as a single home.'
54. Sites 35, 36 and 38 are incorporated in (21/4709/FUL) - Demolition of Ravensfield House and Fenella Building, nos. 1 - 3 Burroughs Parade, no.3 Egerton Gardens and Erection of part 4, 6 and 7 storey block and freestanding 5 storey rotunda building over cleared site and existing car park comprising new public library (675 m<sup>2</sup>), Arts and Creative Industries facility (4,450 m<sup>2</sup>), Safer Neighbourhood Team Unit (70 m<sup>2</sup>), community floorspace, retail floorspace (415 m<sup>2</sup>), 384 x purpose built student accommodation units, 28 x C3 residential dwellings. The residential output of 21/4709/FUL is 28 C3 units plus 384 student units which equals 153.6 (153) standard units. A total of 181 units which is broken down as follows :
  - Site 35 Egerton Gardens accounts for 14% of 21/4709/FUL = 25 units
  - Site 36 Fenella accounts for 36% of 21/4709/FUL = 65 units
  - Site 38 Ravensfield House accounts for 50% of 21/4709/FUL = 90 units
55. As a consequence of rounding down the total is 180 units. These numbers will replace those set out in EXAM87 - Housing Trajectory and a revised and updated Housing Trajectory will be published as a Proposed Modification. A revised application has now been submitted (23/2868/FUL) for this site with no change to residential numbers.
56. Site 40 and part of Site 41 are incorporated in (21/4722/FUL) - Demolition of Meritage Centre, nos.32-46 Church End, nos.28-30 Church End, nos.2-6 Church Terrace, nos.13-21 Prince of Wales Close (also known as 13- 21 Church End); Erection of 4 blocks ranging from two, three and four storeys comprising 181 x purpose built student accommodation units, 33 x purpose-built shared living accommodation units and 1 x Use Class C2 Unit (125 m<sup>2</sup>), Health and Wellbeing Centre under Use Class E (m<sup>2</sup>). The residential output of 21/4722/FUL is 33 shared living units (which are equivalent to standard units), 1 x C2 unit which is equivalent to a standard unit plus 181 student units which equals 72.4 (72) standard units. A total of 106 units which is broken down as follows :
  - Site 40 Meritage Centre accounts for 69% of 21/4722/FUL = 73 units
  - Site 41 PDSA and Fuller Street Car Park accounts for 31% of 21/4722/FUL = 32 units

57. As a consequence of rounding down the total is 105 units. These numbers will replace those set out in EXAM87 - Housing Trajectory and a revised and updated Housing Trajectory will be published as a Proposed Modification.
58. Remainder of Site 41 incorporated in (21/4612/FUL) Erection of a 2 storey building over existing public car park for occupation by the People's Dispensary for Sick Animals (relocated from Meritage Centre Site). This is non-residential.
59. The Inspectors have also requested an update on the Hendon Hub planning applications. The Council has now issued a decision notice confirming consent for 21/4612/FUL. With regards to 21/4709/FUL and 21/4722/FUL the Council have not issued decision notices.
60. Due to the proposed retention of the existing Hendon Library, changes to the plans are required, and therefore revised applications for the Ravensfield and Fenella site and Building B9 have now been submitted (in July 2023) for planning consideration. These are:

**23/2869/FUL** - Building 9 And Hendon Library The Burroughs London NW4 4BQ  
Demolition of Former Clinic and rear library extension and Erection of a four-storey teaching block including east and west connections to Hendon Library and Hendon Town Hall Annex and landscaping improvements. Internal alterations and refurbishment to existing library. Erection of a new 3,912sqm GIA 4-storey University building. Refurbishment of the existing 844 sqm GIA Hendon Library plus 218 sqm GIA of flexible floorspace plus 70 sqm GIA Safer Neighbourhoods Team together with associated improvements to access, parking, public realm, infrastructure and landscaping; and

**23/2868/FUL** - Ravensfield House, Fenella Buildings, 1 - 3 Burroughs Parade And 3 Egerton Gardens The Burroughs London NW4 4BD  
Demolition of Ravensfield House, Fenella Building, nos. 1 - 3 Burroughs Parade, no.3 Egerton Gardens. Erection of part 4, 6 and 7-storey block and freestanding 5-storey rotunda building over cleared site, and existing car park comprising an Arts and Creative Industries facility (4,112 sqm), new university floorspace on the ground floor and basement of the rotunda building (953 sqm), community floorspace (805 sqm), retail floorspace (415 sqm), MSU Marketing Suite/office (170 sqm), 384 x purpose-built student accommodation units (8,671 sqm), 28 x C3 Affordable Accommodation units above ground floor (2340 sqm), provision of 15 x blue badge parking spaces and 3 x car club parking spaces

61. The Inspectors also requested an update on expected timescales for decisions on the new applications and whether there are other constraints to delivery of the Hendon Hub to be overcome such as land ownership and land assembly. The Council expects to report the new applications to Strategic Planning Committee for decision by the end of this year. In terms of the decision notices on the approved application (21/4722/FUL) the Council does not expect to issue them before the end of the year. It also confirms that there are no land assembly issues or other constraints to delivery.
62. The Council can also confirm no change to residential capacities as regards to 23/2868/FUL and sites 35, 36 and 38.

#### **Site Allocations – North Finchley**

63. Your letter asked the Council to provide alternative calculations for the indicative residential capacity of each of the following site allocations in North Finchley (Site Nos 57, 60, 61, 64 and 66). The calculation based on an Urban (rather than Central) density from the matrix classification (in accordance with Figure 1 of the Plan). EXAM75 para 63 sets out the Council position on application of the Central density matrix classification to Site Nos. 57, 60, 61, 64 and 66. The Council re-iterates :

*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, the immediate context of these sites, 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.*

*North Finchley is one of the Borough's largest district centres. Its growth potential is established in the London Plan, which identifies the centre as having "high potential for residential growth" where transformative change is required, as well as having a night-time economy of "more than local significance". Barnet's Local Plan sets similar ambitions, and a specific Town Centre Framework Supplementary Planning Document (SPD) has been adopted as a mechanism for enabling such growth. The SPD explains the proactive and innovative steps that the Council intends to take to revitalise North Finchley, and specifically recognises the benefits of increasing the number of homes located either within or close to the town centre to create a thriving destination that people want to live, work and spend time in.*

64. The requested re-evaluation of the North Finchley sites is set out in Appendix C.

65. If an urban density was applied instead of a central density for the North Finchley sites the revised indicative capacities would be as follows :

- |  |           |
|--|-----------|
| • Site 57 – 309 – 319 Ballards Lane – <del>430 units</del> | 83 units  |
| • Site 60 – Finchley House – <del>202 units</del>          | 128 units |
| • Site 61 – Tally Ho Triangle – <del>281 units</del>       | 205 units |
| • Site 64 – 744 -776 High Road – <del>475 units</del>      | 112 units |
| • Site 66 – East Wing – <del>425 units</del>               | 80 units  |

### **Conclusion**

66. The Council considers that it has fully addressed the requests for clarification. It now looks forward to progress on the Examination with publication of the Inspector Next Steps letter to follow shortly.

Yours sincerely

**Nick Lynch**

**Planning Policy Manager**