

## **Planning Inquiry – Appellant’s Statement of Case**

**Site** – Barnet House, 1255 High Road

Development proposal:

*“Redevelopment of the site to deliver up to 260 homes and up to 709 sqm GIA of Class E commercial floorspace through the conversion of Barnet House from offices to residential, including extension at roof level, and the front, rear and side elevations alongside the provision of Class E use at ground floor of Barnet House. And the demolition of rear annex and erection of new residential buildings. Together with associated public realm, landscaping, access improvements, car and cycle parking.”*

**London Borough of Barnet ref. 21/3726/FUL – Appealed in relation to non-determination of application within the statutory period**

Prepared by Daniel Watney LLP, on behalf of Healey Development Solutions (Barnet House) Limited

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## 1. Introduction

- 1.1 This Statement of Case has been prepared by Daniel Watney LLP on behalf of Healey Development Solutions (Barnet House) Limited (the Appellant) in connection with its appeal in relation to the non-determination within the statutory period by the London Borough of Barnet (LB Barnet) of planning application 21/3726/FUL (the application), relating to the building and surrounding land at Barnet House, 1255 High Road, N20 0EJ (the site).
- 1.2 The planning application subject to this appeal was submitted to LB Barnet on 6 July 2021 and was given the reference number: 21/3726/FUL. The proposed development (“the Scheme”) comprises the:
- “Redevelopment of the site to deliver up to 260 homes and up to 709 sqm GIA of Class E commercial floorspace through the conversion of Barnet House from offices to residential, including extension at roof level, and the front, rear and side elevations alongside the provision of Class E use at ground floor of Barnet House. And the demolition of rear annex and erection of new residential buildings. Together with associated public realm, landscaping, access improvements, car and cycle parking.”*
- 1.3 The description of development was revised by LB Barnet following receipt of the application, which was accepted by the Appellant.
- 1.4 The application was submitted following positive and detailed pre-application discussions with both LB Barnet and the GLA (**Appendix 1**), in addition to consultation with the public, Urban Design London (the local Design Review Panel, at **Appendix 2**), local Ward Councillors, the local MP and the then Chair of the Planning Committee. The Appellant instructed a highly regarded architectural and wider project team to ensure that the quality of design was high given the prominence of the building and the previous refusal on the site. The core project team was different to that which had worked on the previously refused scheme.
- 1.5 The scheme will deliver the following benefits:
- 1.5.1 The provision of a high-quality residential development that would assist LB Barnet in meeting its aspirations for regeneration of the borough, making efficient desirable use of brownfield land to provide housing in the place of vacant and poor quality office space.
- 1.5.2 The delivery of 260 residential units, including 32 affordable units, contributing towards the borough’s target of delivering at least 2,364 new homes per year, set by the London Plan 2021.
- 1.5.3 The delivery of affordable workspace at ground floor level which will retain an employment presence on the site but provide a type of space that will benefit the local community.
- 1.5.4 The provision of significant public realm improvements and landscaping, improving legibility and pedestrian experience along the High Road.
- 1.5.5 Provision of the maximum viable amount of affordable housing, amounting to ~13.5% by habitable room.
- 1.5.6 Financial contributions by way of CIL and Section 106 (~£3,200,000)
- 1.6 Discussions will be held with LB Barnet on the content of the Statement of Common Ground, and a draft is submitted with this appeal.
- 1.7 In summary, the proposals wholly accord with the Development Plan for the site and should therefore be granted planning permission without delay. If however any breaches in policy are identified, there are material considerations which mean that planning permission should be granted in any event having regard to the presumption in favour of sustainable development and the approach to decision-making set out in Paragraph 11 of the National Planning Policy Framework 2021 (NPPF).

## 2. Appropriateness for Inquiry procedure

2.1 Having regard to the Government's 'Planning Appeals: Procedural Guide (2015)' and particularly the content of Annexe K, the appellant considers that an inquiry represents the most appropriate procedure for this appeal to properly consider all the relevant evidence. Six days should be set aside for the inquiry if it is held "in person" or up to nine days if held virtually.

2.2 An inquiry is justified (having regard to the criteria set out in Annexe K) given the scale of the proposals and their complexity. The proposals and the outcome of the appeal are also of significant local interest.

*Is there a clearly explained need for the evidence to be tested through formal questioning by an advocate?*

2.3 The appeal will require detailed presentation of evidence on architecture and townscape matters, with a need for detailed presentation of oral evidence on both matters

2.4 The Council has not yet identified or substantiated any basis for refusal and therefore any case that is brought forward to defend the Council's position, in the light of officers' previous recommendations, will require appropriate level of presentation and interrogation.

*Are the issues complex?*

2.5 The appellant considers that any identification of harm associated with scale and density will be complex. It will therefore require detailed cross examination to explore what weight should be applied to any harm or impacts, yet to be identified by the Council, when balanced against the benefits of the appeal proposals and their level of accord with the development plan.

*Has the appeal generated substantial local interest to warrant an inquiry as opposed to dealing with the case by a hearing?*

2.6 The proposal has generated significant local interest with a total of 548 public comments (both to object and in support) submitted across two rounds of consultation.

2.7 A hearing would not provide an appropriate forum for the views of local residents and other interest groups to be fully heard and properly considered

2.8 It is anticipated that several local interest groups, representing the residents of the area, will wish to take part in the appeal process and an inquiry will provide the most appropriate forum for the consideration of their representations.

## 3. The Appeal Site

- 3.1 The site measures approximately 0.59ha and is located within the southern border of Whetstone Town Centre, at the junction of Totteridge Lane and the High Road (A1000).
- 3.2 The existing building is 12 storeys in height, plus an additional concrete frame of approximately 4 metres which encloses rooftop plant. There is a three-storey annex to the rear. The concrete-framed office building was designed by Richard Seifert and completed in 1966 having originally been built for the Ever-Ready Company.
- 3.3 The site sits at the southern end of Whetstone Town Centre and is identifiable as the tallest building in the immediate area, and indeed from further afield owing to the topography of the site along the ridge of Totteridge. The site slopes downwards from east to west, making for a prominent feature to the streetscape when viewed from Totteridge Lane, north and south along the High Road.
- 3.4 There is a similar scale block to the north of the town centre, known as Northway House, which has been recently converted to residential and together these two buildings act as landmarks to identify the gateway to the town centre.
- 3.5 The building was vacated and reoccupied by LB Barnet whereby the building was renamed Barnet House. Barnet Council vacated the site in its entirety in March 2021, leaving the application site vacant.
- 3.6 The building is partially open at ground floor owing to the supporting columns which are an external architectural feature of the building. The building provides approximately 11,000sqm office floorspace (Class E(g)(i), formerly Class B1(a)).
- 3.7 There is significant existing car parking on site, with 75 spaces at basement level in addition to 212 spaces at ground floor. Vehicular access is provided from Baxendale, with a pedestrian frontage on the High Road.
- 3.8 The site is 350 metres from Totteridge and Whetstone Station, served by the Northern Line with a direct journey time of, for instance, 30 minutes to St Pancras International. Oakleigh Park Train Station is a 17-minute walk away with direct links to, for instance, London Kings Cross St Pancras. There are several bus stops within close proximity of the site (75m away). The site benefits from a Public Transport Accessibility Level (PTAL) rating of 4, however a manual calculation undertaken by the transport specialist suggests that this should be increased to 5.
- 3.9 The site lies within Flood Zone 1 with a low probability of flooding.
- 3.10 There are no heritage assets within the site nor does the site adjoin any statutory or locally listed heritage assets. The nearest heritage asset is the Whetstone, a Grade II listed block of limestone which is said to have given the area its name. Other nearby heritage assets include Grade II listed 1264, 1266, 1268 and 1270 High Road. The nearest Conservation Area is the Totteridge Conservation Area, the nearest boundary of which is over 800m from the site.
- 3.11 The site is within an Archaeological Priority Area, as designated by Historic England.
- 3.12 There are 18 trees within the site boundary, including six London Plane trees along the High Road and a Holme Oak to the south west, within the site boundary, which are protected by Tree Preservation Orders (TPO).
- 3.13 The Appellant will demonstrate that this vacant brownfield site is entirely suitable for the proposed development.

## 4. Planning History

4.1 A prior notification application was granted on 11 May 2017 (LPA ref. 17/1313/PNO) for the change of use of the building from Class B1 (office) to C3 (residential), providing for 254 residential units, however this has since expired.

4.2 Planning permission was refused on 13 April 2018 (LPA ref. 17/5373/FUL) for the:

*“Redevelopment of the Barnet House site including change of use of the main building from B1 (office) to C3 (residential); extensions to front, side and rear elevations; and the addition of 2 storeys to the height of the main building, partially within the existing built framework. Demolition of the existing 3 storey rear annex and erection of a new building ranging from 2 to 6 storeys. Redevelopment will deliver 216 new homes and 1,352 sqm of community, retail and commercial floorspace, together with associated public realm, landscaping, new accesses and basement level car parking.”*

4.3 Whilst officers recommended the scheme for approval, citing the high quality design, appropriate amenity space and residential standards achieved as *“reflecting a development of this intensity and balanced with the need to optimise the use of the site”*, the Planning Committee resolved to refuse the scheme subject to application 17/5373/FUL for two reasons as set out below:

*“1. The proposed development, by virtue of its excessive height, scale, massing and density would represent an over development of the site resulting in a discordant and visually obtrusive form of development that would fail to respect its local context and the pattern of development in its context, to such an extent that it would be detrimental to the character and appearance of the area and would be detrimental to the visual amenity of adjoining residential occupiers. The proposal would therefore not constitute a sustainable form of development and would be contrary to the provisions of the NPPF, policies 3.4, 7.4, 7.6 and 7.7 of the London Plan 2016 and policies CS NPPF, CS5, DM01 and DM05 of the Barnet Local Plan Core Strategy and Development Management Policies 2012.*

*2. The proposed development by reason of the quantum of development and absence of appropriate secured mitigation would result in an undue strain being placed upon local services contrary to the provisions of Paragraph 7 of the NPPF, Policy 3.2 of the London Plan 2016 and Policy CS11 of Barnet Local Plan Core Strategy 2012.”*

4.4 The Decision Notice for the 2018 refusal can be found at **Appendix 3**.

4.5 Temporary planning permission was granted on 12 May 2021 (LPA ref. 21/1523/FUL) for the erection of hoarding around the perimeter of the site to ensure the car park and buildings are secure from anti-social behaviour following the building becoming vacant.

4.6 Of interest locally, Northway House draws many parallels with the Site and planning permission was granted for the conversion of the office building to residential use on 25 July 2014 (LPA ref. B/05674/13), alongside extensions. A revised scheme was approved on 23 January 2015 (LPA ref. B/05378/14) which related to changes to the internal layout to maximise the use of space increasing the number of units to 148 compared to the originally approved 145. The affordable housing provision was increased to 7.4%.

## 5. The Planning Application

- 5.1 The application was submitted in July 2021 and sought planning permission for the redevelopment of the site, delivering 260 homes and 709 sqm (GIA) of Class E floorspace, facilitated through the conversion of Barnet House to residential, and the upwards extension by two storeys (from 12 storeys to 14 storeys) at roof level, and extensions to the front, rear and side elevations.
- 5.2 The application also sought the demolition of rear annex and erection of new residential buildings together with associated public realm, landscaping, access improvements, car and cycle parking.
- 5.3 The scheme proposed 32 affordable units, all within the intermediate tenure.
- 5.4 The commercial floorspace is proposed as affordable workspace.
- 5.5 During the consultation period for the application, there were letters of support and objection from local residents, and several statutory consultees provided comments and responses, the extent of which are discussed in Sections 6 and 7.
- 5.6 The scheme was amended in November 2021 as a response to comments received during the consultation period, including design responses as to follows:
- 5.6.1 Alterations and articulation improvements to the southern elevation;
  - 5.6.2 Additional green screening;
  - 5.6.3 Reconfiguration of bin store;
  - 5.6.4 Widening of holding zone in front of first access to cycle core;
  - 5.6.5 Provision of direct access from Core D into cycle store;
  - 5.6.6 Providing additional information in the form of an updated parking demand survey;
  - 5.6.7 Revision of affordable housing offer, specifically in respect of tenure mix, to provide 23 London Affordable Rent units and 9 Intermediate units; and
  - 5.6.8 Alterations to windows and private terraces to improve separation distances.
- 5.7 The Chair of the Planning Committee changed in May 2021.
- 5.8 The application was envisaged to be presented to Committee on 11th November 2021 and therefore on 1st November 2021, the Appellant met with the new Chair as part of a pre-Committee briefing, along with planning officers.
- 5.9 Within this meeting, it was made clear by the Chair that she, and other Members of the Planning Committee, would not support the planning application unless at least 6 storeys were removed from the overall height of the building. This would entail a substantial reduction in the height of the existing building and, coupled with the previous Officer's recommendation to support 17/5373/FUL, this is not considered to be a positive approach in favour of sustainable development.
- 5.10 Whilst the Appellant and the Council's planning officer team have worked positively to arrive at a stage where the application had no matters outstanding so that Officers could recommend approval, it was clear to the Appellant from the Briefing with the Chair that Committee Members, or at the very least the Chair, would not be likely to support the application at Committee.
- 5.11 Following this meeting, the Appellant was advised that the scheme would not be presented to Committee on 11th November but that it would be taken to the 6th December Committee. The Appellant was further notified on 25th November that the Strategic Planning Committee scheduled for 6th

December had been cancelled.

- 5.12 Considering the above, and so that these proposals can be determined objectively and in a timely manner, the Appellant is progressing with an appeal against non-determination.

## **6. Contents of the Planning Application**

6.1 The full list of planning application drawings and supporting documents is included at **Appendix 4**.

## 7. Consultee Responses

7.1 The consultation responses received from statutory consultees are summarised within **Appendix 5** along with consultation responses received from public consultees including individual objections, residents' associations, the local MP and Ward Councillors.

7.2 The GLA Stage 1 Report can be found at **Appendix 6**.

## 8. Accordance with the Development Plan

- 8.1 Section 70(2) of the Town and Country Planning Act 1990 (as amended) states that “*in dealing with an application for planning permission...the authority shall have regard to the provisions of the development plan, so far as material to the application...and any other material considerations.*”
- 8.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that “*if regard is to be had to the Development Plan for the purpose of any determination to be made under the planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise.*”
- 8.3 Paragraph 12 of the NPPF states that “*the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision-making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.*”
- 8.4 The Development Plan for LB Barnet currently comprises the following with the main relevant policies referred to in **Appendix 7**.
- 8.4.1 London Plan 2021;
  - 8.4.2 LB Barnet Core Strategy 2012;
  - 8.4.3 LB Barnet Development Management Policies Document 2012;
- 8.5 Regard has also been given to the emerging LB Barnet Local Plan Review, which is a key material consideration in the determination of this planning appeal. The Local Plan Review documents were approved by Council on 19<sup>th</sup> October 2021, and formally submitted to the Secretary of State on 26<sup>th</sup> November 2021, with Examination likely to take place in Spring 2022. Whilst not yet forming part of the Development Plan, this document will carry weight in the determination of this planning appeal and relevant policies are referred to in **Appendix 7**.
- 8.6 Other relevant policy and guidance documents include the National Planning Policy Framework (NPPF), National Planning Practice Guidance (NPPG), and various SPDs and SPGs adopted by both LB Barnet and the GLA.

## 9. The Appellant's Case

- 9.1 This Appeal is being submitted in respect of the non-determination of the planning application within the statutory period. The application was due to be presented to Strategic Planning Committee on 6th December 2021, however the Committee was cancelled.
- 9.2 The following matters are expected to be common ground between the Appellant and the Council, based on the extensive pre, and post-submission discussions with the Council:
- 9.2.1 Principle of Residential-Led Development – the principle of a residential-led development on the site is acceptable in the context of adopted Policies DM11, DM12, London Plan Policy H1 and emerging policy. The loss of employment floorspace is considered acceptable based on the site-specific circumstances and the obligations agreed relating to the provision of affordable workspace and construction jobs and apprentices. Emerging policy GSS08 also supports the provision of a residential-led mixed-use scheme on the site. Emerging site allocation no.54 also supports the provision of a residential-led mixed-use scheme on the site. The proposed development represents the design-led optimisation of a brownfield town centre site in a Borough with 28% land designated as Green Belt, and so the loss of the vacant and poor-quality office floorspace, especially in the context of London's housing crisis and the proposed affordable workspace offer, is wholly acceptable.
  - 9.2.2 Provision of Affordable Workspace – the principle of providing affordable workspace at ground floor level is acceptable and welcomed in line with, adopted Core Strategy Policy CS8, Policies E1 and E3 of the London Plan, and emerging Policy ECY01 of the Local Plan Review.
  - 9.2.3 Affordable Housing – the proposed affordable housing offer of 32 units, comprising of 23 London Affordable Rent units and 9 intermediate units, is the maximum viable amount that can be delivered on the site, which is agreed between Appellant and the Council's advisor, in line with local Policy CS4 and London Plan Policy H5.
  - 9.2.4 Unit Mix – the mix of housing proposed through the application is appropriate in respect of the mix of 1, 2 and 3-bed units. The Site is well located in respect of public transport accessibility and local services and amenities, and is therefore very well suited to a predominantly smaller unit scheme, therefore complying with Policy H10 of the London Plan and emerging Policy HOU02 of the Local Plan Review.
  - 9.2.5 Car and Cycle Parking – there are no issues with regard to the levels of car and cycle parking proposed through the scheme. The levels of car parking are within the maximum proposed through Policy T6 of the London Plan, whilst the quantity of cycle parking is in accordance with the minimum standards set through the London Plan.
  - 9.2.6 Access and Highways – there are no issues with regard to the proposed access and highways strategy proposed through the Scheme, as agreed with LB Barnet's highways officers and TfL, subject to conditions and obligations to be secured through the proposal.
  - 9.2.7 Noise and Disturbance – there are no issues with regard to noise and general disturbance as a result of the Scheme, in line with adopted local Policy DM04, London Plan Policy D14 and emerging Policy GSS11 of the Local Plan Review.
  - 9.2.8 Air Quality – there are no issues with regard to air quality as a result of the Scheme, in line with adopted local Policy DM04 and CS13, London Plan Policy SI1 and emerging Policy ECC02 of the Local Plan Review.
  - 9.2.9 Daylight and Sunlight – there are no issues with regard to daylight and sunlight impacts on existing and proposed neighbouring residential properties as a result of the Scheme, in line with local Policy DM01, London Plan Policy D6 and emerging Policy CDH01 of the Local Plan Review.
  - 9.2.10 Energy and Sustainability – there are no issues with regard to the energy and sustainability strategy

and conclusions, in line with adopted local Policy DM04, CS13, the energy hierarchy as set out in the London Plan and emerging Policy CDH02 of the Local Plan Review. In particular, the proposed development prioritises the refurbishment and extension of the existing building over demolition and rebuilding representing a meaningful sustainable scheme, a very effective whole life-cycle carbon reduction approach, making the best use of land.

- 9.2.11 Landscaping and Trees – there are no issues with regard to the proposed landscaping of the site, in line with adopted local Policy DM01 and CS7, London Plan Policy S4 and emerging Policy CDH07 of the Local Plan Review.
- 9.2.12 Play space – the quality and quantity of play space provision is fully compliant, in line with local Policy CS7, DM02, London Plan Policy S4 and emerging Policy GSS11 and CDH07 of the Local Plan Review.
- 9.2.13 Quality of Accommodation – the quality of accommodation is fully compliant having regard to minimum space standards for internal accommodation and external amenity space, whilst the revisions made to the scheme during the determination period mean the proposal adheres to policy and guidance with regards to separation distances between habitable rooms.
- 9.2.14 Conservation and Archaeology – there are no issues with regard to conservation or archaeology, in line with adopted local Policy DM06 and CS5, London Plan Policy HC1 and emerging Policy CDH08 of the Local Plan Review.
- 9.2.15 Biodiversity – there are no issues with regard to biodiversity in line with adopted local Policy DM01, DM16 and CS7, London Plan Policy G6 and emerging Policy CDH01 and CDH07 of the Local Plan Review.
- 9.2.16 Flood Risk and Drainage – there are no issues with regard to flood risk and drainage, in line with adopted local Policy DM04, London Plan Policy SI12 and emerging Policy ECC02A of the Local Plan Review.

## Potential Area of Disagreement

### *Height, Scale and Massing*

- 9.3 The Appellant will provide evidence at the Inquiry to demonstrate that the Scheme is appropriate in respect of its height, scale, massing and density and is generally compliant with adopted and emerging policy, including CS5, DM05, D9 and emerging CDH 04.
- 9.4 The proposed development represents the refurbishment and extension of an existing tall building that has been in situ for over 50 years and the evidence will demonstrate that the scheme makes a positive contribution to the townscape and therefore complies with the applicable local plan policies regarding tall buildings.
- 9.5 The evidence will demonstrate that the scheme represents the design-led optimisation of a vacant office building in a gateway location, representing a very legible marker for the town centre. The marginal increase in height and minor extensions to the building are required to add an additional core, creating a higher- quality of accommodation than simply the conversion of the 1960's office building.
- 9.6 The evidence will demonstrate that the scheme was carefully considered in this regard taking into account the expert views of the Appellant's consultant team and the Council's officers, as well as the GLA and Design Review Panel.
- 9.7 The evidence will also identify emerging policy support for a tall building in this specific location.
- 9.8 The Appellant notes and agrees with the Mayor's Stage 1 report which generally welcomed the design approach adopted, with particular regard to the proposed height strategy. The following was acknowledged in the report:

*“Given the existing height of Barnet House, the proposed addition of two-storeys is not considered to have a detrimental impact on the skyline, nor would it adversely affect the character of the area where it is situated. Whilst the Local Plan does not currently identify the application site as suitable for tall buildings, the principle of a tall building in this location has been established and this has been reflected in the emerging local plan which identifies that tall buildings may be appropriate in locations along the A1000 (High Road). In this instance, there is not considered to be conflict with part B of Policy D9.”*

## 10. Summary

- 10.1 The Appellant's evidence will demonstrate that the height, scale and massing of the Scheme are acceptable and do not justify the refusal of planning permission, and that the proposals accord with the Development Plan.
- 10.2 Having regard to Section 38(6), and subsequently Limb (c) of Paragraph 11 of the Framework, the scheme fully accords with the development plan and therefore should be approved without delay.
- 10.3 If, however, it is considered that are any breaches of policy, then the Appellant's position is that there are material considerations which weigh in favour of allowing the appeal and which outweigh any potential breaches of development plan policy.
- 10.4 These include the emerging Local Plan which, whilst not forming part of the adopted Development Plan, has been submitted to the Secretary of State for examination, and allocates the site as being in a location suitable for a tall building and for residential-led redevelopment.
- 10.5 Further, Paragraph 134 of the NPPF states that "*significant weight should be given to (a) development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes; and / or b) outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.*"
- 10.6 The scheme evolved through extensive pre-application discussions with the Local Authority, including Design Review Panel, and with the GLA and underwent several design iterations to improve the quality of design and ensure the scale and density of development proposed was suitable for the site and its surroundings.
- 10.7 The result is a design of the highest architectural and landscape quality which reflects local policies and national guidance on design, ensuring that there is no adverse impact on the quality of accommodation for neighboring properties, coupled with ensuring all design guidelines for the future residential units are satisfied. The design promotes high levels of sustainability, most notably through the conversion of Barnet House and thus retention of its concrete core, as well as meeting the carbon reduction targets set through the London Plan through use of electric heat pumps and maximisation of PV panels. The scheme also achieves an Urban Greening Factor of 0.47 and significant Biodiversity Net Gain improvements.
- 10.8 The scheme therefore will significantly raise the standard of design most notably on site, but also tying into the recent regeneration the local area continues to experience. The existing building is an eye sore, in short, medium and long term views and the proposed replacement is of the highest quality of design. Therefore, significant weight should be given in support of the scheme as per Paragraph 134 of the NPPF.
- 10.9 Further weighing in favour of the application is the Council's lack of five year housing land supply, as evidence in a recent appeal decision (APP/N5090/W/21/3271077) issued in September 2021 which noted LB Barnet could only demonstrate 4.7 years' worth of supply (**Appendix 8**). The 2020 Housing Delivery Test also required LB Barnet to complete an Action Plan due to under-delivery. The Appellant proposes to produce evidence on this basis following updated 2021 Housing Delivery Test results published early next year.
- 10.10 There are also significant planning benefits delivered by the scheme which weigh further in favour of granting planning permission and are set out as follows:
- 10.10.1 The provision of high-quality residential-led redevelopment that would assist LB Barnet in meeting its aspirations for regeneration of this part of the borough which is a gateway town centre location, making efficient desirable use of brownfield land in a borough with 36% Green Belt and Metropolitan Open Land to provide housing in the place of vacant and poor quality office space. The proposal would contribute 260 new homes towards the Borough's target of 2,364 homes a

year as set out in the London Plan 2021.

- 10.10.2 The proposal would contribute 709sqm of affordable workspace let at 80% of market rents.
  - 10.10.3 Substantial weight is given to the delivery of housing on suitable brownfield land in Paragraph 120(b) of the NPPF, with further support throughout Section 5 (Delivering a Sufficient Supply of Homes) and within Paragraph 60 which states that is the government's objective to "significantly boosting the supply of homes".
  - 10.10.4 The scheme will deliver significant improvements to public realm along the High Road which will be accessible for existing and future residents.
  - 10.10.5 The scheme will deliver significant environmental improvements including with regard to energy and sustainability, biodiversity and urban greening.
  - 10.10.6 The scheme will generate significant financial contributions through Community Infrastructure Levy and Section 106 payments.
- 10.11 Overall, the proposal and its benefits as set out above satisfy the planning balance in that the townscape, housing delivery and public realm benefits far outweigh any perceived harm.
  - 10.12 The Appellant will also produce evidence, so far as necessary, to respond to outstanding objections raised by third parties.

## **11. Draft Conditions and Planning Obligations**

- 11.1 The Appellant is in discussion with the Council regarding conditions and obligations and will seek to agree a list of conditions through this Planning Appeal. This will be covered in the Statement of Common Ground.

## Appendix 1

GREATER**LONDON**AUTHORITY  
**Good Growth**

**Our ref:** 2020/6873/P2I/SS

**Date:** 12 March 2021

By email

Dear Michael Holloway

**Town & Country Planning Act 1990 (as amended); Greater London Authority Act 1999 & 2007; Town & Country Planning (Mayor of London) Order 2008**

**Site: Barnet House, 1255 High Street, Whetstone**

**LPA: London Borough of Barnet**

**Our reference: 2020/6873/P2i**

Further to the pre-planning application meeting held on 10 February, I enclose a copy of the GLA's assessment which sets out our advice and matters which will need to be fully addressed before the application is submitted to the local planning authority.

The advice given by officers does not constitute a formal response or decision by the Mayor with regard to future planning applications. Any views or opinions expressed are without prejudice to the Mayor's formal consideration of the application.

Yours sincerely



**John Finlayson**

Head of Development Management

cc Allison Flight, Deputy Head of Development Management  
Danny Calver, TfL

12 March 2021

# Barnet House, 1255 High Street, Whetstone

in the London Borough of Barnet

## The proposal

Change of use of Barnet House from Class E(g) use (office) to Class C3 use (residential), including extension at roof level, recladding, and demolition of the existing two storey annex and erection of a new building ranging between 3 and 6 storeys, to deliver 263 new homes and circa 785sqm community/retail/commercial floor space, together with associated public realm, landscaped amenity and car parking.

## The applicant

The applicant is **Meadow Partners** and the architect is **Tate Hindle Architects**.

## Assessment summary

The principle of the proposed residential-led mixed-use redevelopment of the site is considered acceptable subject to the provision of a suitable quantum of Affordable Housing with appropriate tenure. The retention of some employment floor space on the site to be used as affordable workspace is also encouraged, however careful consideration of the use of the ground floor units must take place to ensure they do not conflict with the residential use above. The massing and layout approach is generally supported subject to suitable permeability through the site for pedestrians and cyclists and achieving adequate levels of amenity for future residents. Further comments relating to design, transport, and sustainable development must also be addressed as part of any forthcoming application.

## Key next steps

The future application will need to address the issues raised in this report with respect to compliance with relevant policy on employment floor space, the provision of a suitable quantum of affordable housing, urban design, inclusive access, transport and sustainable.

## Follow up meetings

GLA officers do not consider that a follow up meeting is required in this instance, subject to the applicant addressing the items set out within this report.

## Context

1 On 10 February 2021, a virtual pre-planning application meeting was held that included the following attendees:

GLA group:

Scott Schimanski	Senior Strategic Planner, Planning
Vanessa Harrison	Team Leader, Planning
Ei-Lyn Chia	Urban Design
Pak-Lim Wong	TfL Spatial Planning

Local Planning Authority:

Andrew Dillon	LB Barnet
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Applicant and Development Team:

Carl Dawson	Meadow Partners
Sarah Brown	Tate Hindle Architects
Daniel Jones	Tate Hindle Architects
Sam Martin	Exterior Architecture
Robert Park	Exterior Architecture
Lloyd Bush	Velocity (Transport)
Michael Holloway	Daniel Watney (Planning Consultant)
Charles Mills	Daniel Watney (Planning Consultant)
Nadia Shojaie	Daniel Watney (Planning Consultant)

2 The advice given by officers does not constitute a formal response or decision by the Mayor with regard to future planning applications. Any views or opinions expressed are without prejudice to the Mayor's formal consideration of the application.

## Site description

3 The 0.59 hectare site is located on the western side of High Road at the southern end of the Whetstone (District) town centre near the junction with Totteridge Lane. The site is currently occupied by a 12 storey office building with basement and three storey annex building fronting Baxendale Road along the southern boundary. The basement provides vehicle parking for approximately 75 vehicles and parking for up to 212 vehicles is available at grade. The building is

used for commercial purposes and has a floor area of approximately 11,000sqm. that was constructed in the 1960's. The surrounding area varies in character with more suburban residential properties to the west and south-west and largely commercial buildings up to six storeys fronting High Road to the north and south. It is noted that another 12 storey building known as Northway House is located at the northern end of the town centre. This building along with the building on the site form 'book ends' to the town centre. As with scale, the architecture also varied considerably from Victoria shops with residential above to 1990's commercial buildings.

4 The site sits just outside of the Whetstone town centre and its retail frontage. In terms of accessibility, the site is located within a five minute walk to Totteridge and Whetstone Station and has a PTAL of 4/5 (representing good public transport accessibility). The site contains no listed buildings and does not fall within a conservation area or within the close vicinity of any statutory listed buildings. The site does fall within a designated Areas of Archaeological Significance. In terms of vegetation, there are a number of trees located along the boundary including a Category A TPO tree located in the south-west corner of the site.

## **Details of the proposal**

5 The applicant is proposing a comprehensive redevelopment of the site including a change of use of Barnet House from Class E(g) use (office) to Class C3 use (residential), including extension at roof level, recladding, and demolition of the existing two storey annex and erection of a new building ranging between 3 and 6 storeys, to deliver 263 new homes and circa 785sqm community/retail/commercial floor space, together with associated public realm, landscaped amenity and car parking.

## **Strategic planning issues and relevant policies and guidance**

6 For the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the development plan in force for the area is the London Plan 2021, and the Barnet's Local Plan – Core Strategy) 2012.

7 The following are also relevant material considerations:

- The National Planning Policy Framework and National Planning Practice Guidance; and
- Barnet Council's Suburban Design Guide SPD (2018)

8 The relevant issues and corresponding policies are as follows:

- Housing *London Plan 2021; Housing SPG; the Mayor's Housing Strategy; Play and Informal Recreation SPG; Character and Context SPG;*
- Urban design *London Plan 2021; Shaping Neighbourhoods: Character and Context SPG; Shaping Neighbourhoods: Play and Informal Recreation SPG;*

- Affordable housing *London Plan 2021; Housing SPG; Affordable Housing and Viability SPG; the Mayor's Housing Strategy;*
- Inclusive design *London Plan 2021; Accessible London: achieving an inclusive environment SPG;*
- Sustainable development *London Plan 2021; Sustainable Design and Construction SPG; London Environment Strategy;*
- Transport and parking *London Plan 2021; Mayor's Transport Strategy.*

## **Summary of meeting discussion**

9 Following a presentation of the applicant's proposals for the site, meeting discussions covered strategic issues with respect to Principle of Development, Housing, Urban Design, Sustainability and Transport. Advice with respect to all main strategic issues is therefore provided under the associated sections below.

10 It is understood that the future application would be referable to the Mayor of London under Category 1C(c) of the Schedule to the 2008 Order:

- *1C(c) "Development which comprises or includes the erection of a building that is more than 30 metres high and is outside the City of London.*

## **Principle of development**

### Proposed Loss of Employment Floor Space

11 The site currently contains a commercial office building comprised of employment (Use Class E(g)) floorspace. With the exception of the ground floor, the application proposes the loss of existing office floorspace as part of a residential-led development.

12 The site lies just outside the Whetstone town centre and is not within a Preferred Office Location (POL) or Local Office Location (LOL) as designated in the Local Plan. Policy E1 of the London Plan 2021 encourages the enhancement and modernisation of the existing office stock in London in viable locations outside the CAZ to meet demand for a range of types and sizes of office floorspace at different rental levels (including affordable workspace), whilst recognising scope for the redevelopment, intensification and change of use of surplus office space to other uses such as housing.

13 At present, the office building is occupied by Barnet Council, however it is understood that the Council are currently vacating the site and will be out of the building entirely by April 2021. It is noted that the existing floorspace would not fall within the categories of affordable workspace set out in Policy E3 of the London Plan 2021.

14 Although Policy E1 of the London Plan 2021 promotes the enhancement of office floorspace within London, the policy also specifies how and where such floor space should be encouraged. Part D of the policy states that where possible, office locations should be consolidated and such activities should be focused in town

centres or within existing office clusters. With regards to protection of office floor space, Part E states that where such space is viable, it should be protected by Council, however if such floor space is not viable, then Council should permit its release to be used for other purposes.

In this regard, the site is not located within a town centre or within an office cluster and Council has made no attempt to safeguard the site for employment uses. It is also acknowledged that at the meeting the Council officer confirmed that the office floor space is considered surplus to the Council's requirements and raised no objection to it being used for other uses. Notwithstanding this, the proposal also includes 785sqm of affordable workspace at ground floor which is welcome in line with Policy E3.

15 Overall, as the site is not identified within a designed employment area or town centre and the building will be repurposed for housing, contributing to the identified need in the borough, with some affordable workspace, GLA officers consider that the loss of much of the office floor space and proposed residential-led redevelopment of the site is acceptable taking into account the policy framework set out above.

### Residential Floorspace

16 Barnet has a ten-year housing target of 23,640 set by the London Plan 2021. The proposed development includes 263 residential units would positively contribute towards this target and in conjunction with the retention of some employment floor space would optimise the site's accessible location and development potential and as such is considered acceptable.

### Principle of Development Conclusion

17 The principle of the redevelopment of the site for a mixed use residential-led scheme including 263 homes and the reprovision of some (785sqm) of employment floor space is acceptable in principle, subject to the provision of a suitable quantum of Affordable Housing and addressing the other issues set out within this note.

## **Housing**

18 The proposal includes 263 residential units with the following size mix:

	<b>Units</b>	<b>Percentage</b>
Studio	12	4.6
1 Bed	115	43.7
2 Bed	94	35.7

3 Bed	42	16
<b>Total</b>	<b>263</b>	<b>100%</b>

### Affordable Housing

19 Policies H5 and H6 of the London Plan 2021 seek to maximise affordable housing delivery in London and the Mayor’s Affordable Housing and Viability SPG sets a strategic target of 50% affordable housing for all new developments.

20 The London Plan 2021 Policy H5 and the Affordable Housing and Viability SPG introduce a threshold approach to viability, whereby schemes that achieve a minimum threshold of affordable housing and provide the specified tenure split, without public subsidy, while meeting other relevant policy requirements and obligations to the satisfaction of the borough and the Mayor can follow the ‘Fast Track Route’. Fast Track schemes are not required to submit a viability assessment or be subject to a late stage viability review. Schemes which do not meet these criteria must be considered under the Viability Tested Route. The affordable housing threshold for sites such as this one is 35%. The applicant should note that all Stage 1 and 2 referrals following the Viability Tested Route will be required to pay the GLA’s costs via an upfront payment of £10,000 plus VAT.

21 The SPG also provides guidance on tenure. The Mayor’s preferred tenure split is for schemes to provide at least 30% low cost rent (social rent or London Affordable Rent) and 30% as intermediate products with the residual 40% to be determined by the Council. There is an expectation, however, that the residual 40% would be weighted towards a low cost rent product. The SPG furthermore states that affordable housing products should be genuinely affordable with rents and income levels based on benchmarks set out in the Mayor’s Homes for Londoners: Affordable Homes Programme 2016-2021 Funding Guidance or any subsequent guidance or monitoring reports issued by the GLA. The affordable housing offer inclusive of rents and income levels will need to be secured in the Section 106.

22 London Plan 2021 Policy H12 encourage a full range of housing choice. Policy H12 recognises that central or urban sites may be most appropriate for schemes with a significant number of one- and two-bedroom units, and that the number of family-sized affordable homes should be driven by local and strategic need. The applicant should consult with the local authority to ensure that the proposed unit size mix responds to local need. It is expected that the applicant will prioritise the delivery of family housing in the affordable rented tenure.

23 It is noted that no affordable housing offer was mentioned at the pre-application meeting. To avoid the need for a late-stage review, the applicant is encouraged to follow the Fast-Track Route with regards to affordable housing. In any case, please note that GLA officers would require the inclusion of an early-stage review mechanism in any subsequent legal agreement associated with the development. Further, and as outlined above, if the Fast-Track Route is not followed, then the

viability information submitted will be robustly scrutinised and a late-stage review will be required.

### Children's play space

24 London Plan 2021 Policy S4 require development proposals to make provisions for play and informal recreation based on the expected child population generated by the scheme. Further detail is provided in the Mayor's 'Shaping Neighbourhoods: Play and Information Recreation' Supplementary Planning Guidance (SPG), which sets a benchmark of 10 sqm of usable child place space to be provided per child and makes clear that playspace must not be segregated by tenure. At minimum, playspace for children under five should be provided on-site. Offsite provision for over-fives, secured by an appropriate financial contribution, may be acceptable where it can be demonstrated that it addresses the needs of existing residents. The applicant should calculate the playspace requirement and demonstrate how it will be met as part of any forthcoming application. The on-site play provision must be retained in perpetuity, not be segregated by tenure and be secured by condition. With respect to the proposal, GLA officers raise concern with the quality and location of play spaces next to the road. An alternative area for suitably sized children's play space away from the highway and parking area should be considered.

### **Urban design**

25 London Plan 2021 Policies D1 and D2 seek to ensure that new developments are well-designed and fit into the local character of an area. New buildings and spaces should respond to the form, style and appearance to successfully integrate into the local character of an area, with a positive relationship with the natural environment and respect and enhance the historic environment. London Plan 2021 Policy D3 also seek to optimise the potential of sites, having regard to local context, design principles, public transport accessibility, and capacity of existing and future transport services.

### Developments response to surrounding built form and optimising residential density

26 London Plan 2021 Policy D3 seek to optimise the housing potential of sites while having regard to the local context, design principles, and the existing and future capacity of transport services. In this case the site has good accessibility to public transport (PTAL 4/5) and in terms of context, the retention and slight increase in height of the existing building, from 12 to 14 storeys, retains the established height pattern within and around the town centre.

27 London Plan 2021 Policy D9 places great emphasis on the fact that the development of tall buildings should be plan-led, placing the onus on LPAs to identify appropriate locations for tall buildings in Development Plans. This policy further states that proposals for tall buildings should be of an exemplary quality, reinforce the spatial hierarchy, and aid in legibility and wayfinding. In this instance, the existing building establishes the acceptability of a tall building on the site and the proposal will reuse the frame of the existing building. Notwithstanding this, the

proposal is considered a tall building and would trigger Policy D9. Any application should provide a full assessment against the criteria within that policy.

28 In terms of massing, although the refurbishment of the building includes the extension of the floorplate, the overall mass will broadly match that of the existing building. The proposed massing and height of the new building is considered acceptable with regards to the existing building and surrounding properties. The massing approach to both buildings is considered acceptable, subject to a detailed townscape and visual impact assessment and sunlight/daylight analysis.

29 In terms of layout, the scheme forms a coherent pattern of street and blocks along the high road and Baxendale Road which is considered appropriate.

30 The proposal to extend and refurbish the building and erect a new residential building to the rear would result in a total of 263 residential units with an approximate density of 445 habitable rooms per hectare. In this instance, the higher density residential-led mixed use scheme is considered appropriate for the locality, recognising that the building is being reused

#### Residential Amenity

31 The refurbished block has an efficient core to unit ratio, and two lifts are provided per core which is supported. The proposed extended floorplates have been configured to increase the number of dual aspect units which is welcome. However, further information on the internal layout of flats should be submitted to demonstrate that the proposed dual aspect dwellings will have adequate passive ventilation and daylight.

32 The proposed new block maximises the number of dual aspect units. The applicant was advised to consider a deck access typology as this may increase the percentage of dual aspect units achieved. The north facing single aspect units located on the second floor must be designed out of the scheme.

33 The proposed residential units will be served by a concierge and post room located in a legible location with directly accessibility from Baxendale Road. There should be no difference in terms of design quality between the market and affordable units. Overall, the unit layout and accessibility to facilities of the scheme is supported.

#### Public Realm, landscaping and playspace

34 Although the improvements of the public realm along High Road are supported, the proposed public realm dwell space at the northern part of the site may be affected by overshadowing and therefore impact upon its amenity value. To ensure the success and attractiveness of the public realm, the applicant should demonstrate that new public dwell spaces are located in areas that will receive a good level of sunlight. The intention to create a series of landscaped features along High Road is also welcomed.

35 Several mature trees are proposed for removal along the High Road. Policy G7 of the London Plan 2021 states that wherever possible, existing trees of value should be retained. In the meeting, it was explained that the removal of the trees is to assist with improvements to accessibility in the public realm, however this should be clearly set out in the application. On-site play spaces provision should be provided in areas that receive good levels of sunlight, and are safe and overlooked to enable passive surveillance.

### Architecture and Materiality

36 In terms of design, GLA officers welcome the approach that aims to soften the visual appearance of the façade and to introduce subtle elements to provide depth and interest.

37 Although no information was provided on the proposed tenure distribution, the applicant should ensure that a consistent attention to detail and use of high-quality facing materials is carried through to the affordable tenure buildings. In addition, the application should secure key details including facing materials, balconies, window reveals and rooflines to ensure an exemplary quality of architecture is delivered.

### Micro-Climate

38 Wind and other micro-climatic studies should be undertaken as early in the design process as possible to ensure any mitigation requirements are designed to be integral to the form and fabric of the building. The outcome of these reports should feed into an assessment of the scheme against the criteria of Policy D9.

### Fire safety

39 In line with Policy D12 of the London Plan 2021, a fire statement should be submitted with the application which has been prepared by a suitably qualified third-party assessor. This should clearly address the requirements of the policy, including details of construction methods and materials, means of escape, fire safety features that reduce the risk to life and means of access for fire service personnel. Policy D5 outlines the need for a fire evacuation lifts to serve each core.

### Inclusive design

40 London Plan 2021 Policy D5 seeks to ensure that proposals achieve the highest standards of accessible and inclusive design. Any application should ensure that the development can be entered and used safely, easily and with dignity by all; is convenient and welcoming with no disabling barriers, providing independent access without additional undue effort, separation or special treatment; and is designed to incorporate safe and dignified emergency evacuation for all building users.

41 Policy D5 of the London Plan 2021 requires that at least 10% of new build dwellings meet Building Regulation requirement M4(3) 'wheelchair user dwellings' (designed to be wheelchair accessible or easily adaptable for residents who are wheelchair users); and all other new build dwellings must meet Building Regulation requirement M4(2) 'accessible and adaptable dwellings'.

42 The submitted documentation indicated that 29 units (11%) will be wheelchair accessible and illustrated that they will consist of 1, 2 and 3 bed units which is welcomed. Any future application should include plans that show where the wheelchair accessible homes would be located. These should be distributed across tenure types and sizes to give disabled and older people similar choices to nondisabled. This information, typical flat layouts and plans of the wheelchair accessible homes should be included in the design and access statement. The Council should secure M4(2) and M4(3) requirements by condition as part of any permission.

## **Transport**

### Transport Assessment

43 A full transport assessment (TA) should be produced fully in accordance with TfL latest Transport Assessment Best Practice Guidance, supporting the application. This includes details trip generation and mode share assessment for all vehicular and non-vehicular modes, as well as undertaking the Active Travel Zone (ATZ) assessment. The ATZ assessment shall covers all routes to local amenities to local shops, public transport stop/ stations, local hospital (consider Barnet Hospital / Finchley Memorial Hospital), large retail/ leisure complex near North Finchley and all schools within the catchment area.

44 The site has a Public transport Access Level (PTAL) of 4/5, of which 0 is the lowest and 6b is the highest. It is welcomed that the proposal would be provided at a ratio of 0.2 car parking space per unit. The applicant is reminded that they need to demonstrate that adequate disabled parking may be provided on-site or off-site, this is in line with London Plan 2021 policy. Electric vehicle charging points should also be provided in line with London Plan 2021 policy. It is also welcomed that the headroom of the car park will be at 2.6m in height, enabling access by adopted vehicles for disabled users. With regards to on-street parking, it would expect that Barnet Council imposes restrictions to prevent future occupiers' eligibility for local permits. This should be secured by an appropriate legal agreement.

### Cycle Storage

45 To enhance permeability through the site, cycle access should be directly from both High Road and Totteridge Lane. To ensure safety, access to cycle storage should be separated from servicing access. In terms of the quantum of cycle storage, the cycle parking must be in accordance with the London Plan 2021 Cycle Parking standards; and the design of the facilities should be consistent to the latest London Cycle Design Guidance (LCDS). Visitor cycle space should be provided at

surface level or on-street. A minimum of 5% of spaces should also be designed and designated for larger cargo and adopted bikes. In addition to lift to bike stores, bike channel/ ramp should also be installed at staircase for alternative access use. The Council is encouraged to seek contributions, if appropriate toward local walking/ cycling improvement within the vicinity of the site.

### Healthy Streets

46 In line with the Mayor's Healthy Street aspiration, an Active Travel Zone (ATZ) assessment should be undertaken to assess local walking and cycling routes and to identify improvement opportunities on routes between the site and local places of interest/ amenities with 20 min walking/ cycling journey time. The applicant should also work with Barnet Council to identify opportunity to declutter the footway in the vicinity of the site in order to improve walking routes. The nearest crossing point, particularly of the High Road/ Oakleigh Road North/ Totteridge Lane must ensure that adequate crossing capacity is provided to enable pedestrians to cross safely and conveniently. It is noted that the current design of this crossing facility may not be very pedestrian friendly, and given the proposed increase in residents and subsequent footfall, the applicant is strongly encouraged to identify ways to improve this.

### Lighting and Secure by Design

47 Adequate lighting should be provided within and in the vicinity of the site's public realm to provide better sense of security and the principle of 'secure by design' should be adopted throughout.

### Highway Improvements, travel plans, Delivery and Servicing

48 All highway improvement and vehicular access proposals must be Stage 1 Safety Audited with reports and designer's response supporting the planning application.

49 A Travel Plan shall be produced in accordance with current TfL's travel planning guidance. The final travel plan should be secured by S106 planning obligation.

50 A delivery & servicing plan (DSP) shall be produced and implemented for the proposal, this would be secured by planning conditions. It is requested that dedicated off-street servicing facilities also be provided where possible. Guidance of how to prepare a Delivery and Service Plan can be found at [here](#).

51 A construction management plan (CMP) and construction logistics plan (CLP) shall be produced in accordance with the current TfL's CLP guidance. The submission and implementation of these plans shall be secured by appropriate condition.

## **Sustainable development**

### Energy

52 The updated version of the GLA Energy Assessment Guidance (2020) sets out the information that should be provided within the energy assessment to be submitted at Stage 1. The latest guidance which is in pre-consultation form, aligns with the London Plan 2021 Policies SI2, SI3 and SI4 and can be found on the GLA's website [here](#).

53 The applicant is encouraged to consider how these may be incorporated into their proposals. As such, the applicant will be expected to investigate the potential for energy flexibility in new developments, include proposals to reduce the amount of capacity required for each site and to reduce peak demand. Furthermore, the applicant will be expected to calculate and reduce whole life-cycle carbon emissions, submit a whole life-cycle carbon assessment to the GLA following the Whole Life-Cycle Carbon Assessment Guidance using the GLA's reporting template (and monitor the energy performance of a development and report on it through an online monitoring portal. The template can be found [here](#).

#### *Net zero carbon target*

54 The London Plan 2021 requires all major developments (residential and non-residential) to meet the net-zero carbon target. This should be met with a minimum on-site 35% reduction in carbon emissions beyond Part L of 2013 Building Regulations, with any carbon shortfall to net zero being paid into the relevant borough's carbon offset fund.

55 Applicants should submit a completed Carbon Emissions Reporting spreadsheet alongside their application to confirm the anticipated carbon performance of the development and should clearly set out the carbon emission factors they are proposing to use in their energy assessment.

#### *Be lean demand reduction*

56 Applicants are expected to meet the London Plan 2021 energy efficiency targets:

- **Non-residential** – at least 15% improvement on 2013 Building Regulations from energy efficiency

#### *Cooling and overheating*

57 The scheme should include measures to minimise the need for both mechanical heating and cooling. Evidence should be provided on how the demand for cooling and the overheating risk will be minimised through passive design in line with the cooling hierarchy.

#### *Be clean heating infrastructure*

58 The applicant should investigate opportunities for connection to any nearby existing or planned district heating networks (DHNs). Where such opportunities exist,

this should be the priority for supplying heat to the site in line with the London Plan 2021 heating hierarchy. The applicant should refer to the guidance for further information.

59 The site should be provided with a single point of connection and communal heating network where all buildings/uses on site will be connected and drawings which demonstrate this should be provided.

60 The applicant should provide evidence confirming that the development is future proofed for connection to wider district networks now or in the future where an immediate connection is not available. Where a district heat network connection is not available (either now or in the future) applicants should follow the London Plan 2021 heating hierarchy to identify a suitable communal heating system for the site.

61 The London Plan 2021 limits the role of CHP to low-emission CHP and only in instances where it can support the delivery of an area-wide heat network at large, strategic sites. Where an applicant is proposing to use low-emission CHP, they will be asked to provide information to justify its use and strategic role while ensuring that the carbon and air quality impact is minimised.

#### *Be green renewable energy*

62 The GLA expects all major development proposals to maximise on-site renewable energy generation. This is regardless of whether the 35% on-site target has already been met through earlier stages of the energy hierarchy. Solar PV should be maximised. A plan showing the proposed location and output (kWp) of the installation should be provided showing that the proposed installation has been maximised for the available roof area and clearly outlining any constraints to further PV.

#### *Carbon offsetting*

63 Applicants should maximise carbon emission reductions on-site. Where it is clearly demonstrated that no further carbon savings can be achieved, but the site falls short of the carbon reduction targets, applicants are required to make a cash-in-lieu contribution to the relevant boroughs' carbon offset fund using the GLA's recommended carbon offset price or, where a local price has been set, the borough's carbon offset price. Energy strategies should provide a calculation of the shortfall in carbon emissions and the offset payment that will be made to the borough.

#### Sustainable drainage

64 The drainage strategy should aim to reduce surface water discharge from the site to greenfield rates in accordance with London Plan 2021 Policy SI.13. Where greenfield runoff rates are not feasible and robust justification is provided, a discharge rate of three times greenfield rate may be acceptable.

65 The drainage strategy should maximise opportunities to use Sustainable Drainage System (SuDS) measures at the top of the drainage hierarchy set out in London Plan 2021 Policy SI.13. Roofs and new public realm areas present an opportunity to integrate SuDS such as green and blue roofs, tree pits, and permeable paving into the landscape, providing amenity and water quality benefits.

66 From April 2019, London's 33 Lead Local Flood Authorities (LLFAs) introduced the London Sustainable Drainage Proforma. This proforma is required to accompany Sustainable Drainage strategies submitted with planning applications and will form part of planning application validation requirements. The proforma sets a clear standard for the information that should be provided in a Sustainable Drainage strategy for all development in London. The proforma is intended to ensure that key information is provided with the initial planning application, reducing the need to request additional information throughout the assessment process and preventing delays in approval. Please ensure that the relevant borough's proforma is completed and accompanies the full application for this development when submitted. The proformas for all Local Authorities can be found [here](#) ( and on the relevant borough's websites. This initiative is supported by the Greater London Authority (GLA) and the London Drainage Engineers' Group (LoDEG).

### Water efficiency

67 The development should achieve the equivalent of an 'Excellent' rating on the water elements of BREEAM, in line with the London Plan 2021 Policy SI.5. Water reuse should be considered for inclusion in the development to meet both water efficiency and sustainable drainage requirements.

### Green infrastructure

68 The design process should embed urban greening as a fundamental element of building design. In accordance with London Plan 2021 Policy G5, the applicant should calculate and provide the Urban Greening Factor (UGF) score for the proposed development and meet the minimum specified target. A drawing showing the surface cover types and accompanying UGF calculation should be included within any future submission. Further, it is recommended the applicant undertake a UGF calculation at the earliest opportunity to understand whether the UGF target is being achieved, and so that they can make necessary design changes to maximise urban greening before the design is fixed for submission.

69 Details of existing trees across the site as well as proposed tree retention and removal should be provided with any future submission. Wherever possible, trees of value should be retained. Tree value can be derived from 'i-tree' or 'CAVAT', or another appropriate valuation system. If trees are to be removed the application should provide an assessment of the value of the trees to be lost using the appropriate valuation system and set out how this has been accounted for through replacement tree planting.

### Circular economy

70 The London Plan 2021 includes circular economy policies including a requirement to submit Circular Economy Statements for developments. The GLA has released draft guidance for developers on how to prepare Circular Economy Statements and a 'Design for a circular economy' Primer that helps to explain the principles and benefits of circular economy projects, which is available [here](#):

71 The London Plan 2021 Policy SI7 requires development applications that are referable to the Mayor of London to submit a Circular Economy Statement, whilst Policy D3 requires development proposals to integrate circular economy principles as part of the design process. Therefore, the applicant is required to submit a Circular Economy Statement in accordance with the GLA guidance

## Conclusion

72 GLA officers welcome the opportunity to engage with the applicant on the emerging proposals for this site. The principle of the proposal is acceptable in strategic planning terms, subject to demonstrating compliance with relevant policy on employment floor space, housing including Affordable Housing Provision, urban design, inclusive access, transport and sustainable development must also be addressed in any future planning application.

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for further information, contact GLA Planning Unit (Development Management Team):

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## Appendix 2

# Design Review

## Barnet House

**Date** Tuesday 9<sup>th</sup> March 2021, 09:30 – 12:30  
**Venue** Online via Zoom

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### Design Advisors

Fred Manson	Chair
Gillian Horn	Question of Design
Kruti Patel	Metropolitan Workshop
Amir Ramezani	Avanti Architects
Paul Dodd	Urban Design London

### Guests

Carl Dawson	Meadow Partners
Charles Mills	Daniel Watney
Michael Holloway	Daniel Watney
Nadia Shojaie	Daniel Watney
Sarah Brown	TateHindle
Daniel Jones	TateHindle
Jonathan Pinfield	TateHindle
Simon Salvador	TateHindle
Robert Park	Exterior Architecture
Lloyd Bush	Velocity
Andrew Dillon	LB Barnet
Konstantinos Kalogeropoulos	LB Barnet
Athina Gkremi	LB Barnet
Syndsey Ballet	LB Barnet

### Observers

Alex Homans	Urban Design London
Susan May	Urban Design London
Matilde Migliorero	Urban Design London

### Apologies

Sam Martin	Exterior Architecture
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## **Introduction**

The Chair welcomed the Design Team and Panel to the Design Review. The Panel confirmed there were no conflicts of interest. The Review was undertaken on-line and without a site visit, however the Panel were familiar with the site.

Following an update from Andrew Dillon and Konstantinos Kalogeropoulos from the London Borough of Barnet planning team, Daniel Jones and Sarah Brown of TateHindle and Robert Park presented the scheme.

The scheme comprises the conversion of Barnet House, an existing 12 storey office building to residential use dwellings alongside Class E (affordable office) space at ground floor, alongside the demolition of an existing 3 storey annexe building fronting onto Baxendale Road. The redevelopment will provide c.260 new dwellings, public realm and landscaping improvements. Car parking will be provided in a semi basement plus cycle parking.

Barnet House has received prior approval notification for conversion to residential use. A previous planning application for a similar quantum of floorspace was refused in 2018 due to overdevelopment and the negative impact of the increased scale and massing of the proposal on surrounding properties.

Barnet House was designed by Richard Seifert & Partners as HQ building for Ever Ready, more recently it has been home to Barnet Council. Located on a ridge, the building is visually prominent acting as a marker to the southern end of the High Road, an important local centre.

The site supports numerous mature trees, notably a line of mature London planes situated along the High Road and several trees along Baxendale Road including a mature Holm Oak.

## **Design Review**

The Chair thanked the Design Team for their concise presentation. Following clarifications on the design approach the Panel discussed the scheme. The following Note summarises the Panel's view in relation to Masterplanning, Architecture and Sustainability.

### Masterplanning

The Panel pressed the importance of this site as a marker to the eastern end of the High Road. It makes a public contribution to the area and the vision for the development needs to be bold yet carefully considered. It is also one of the tallest buildings in the area and the visual impact of the proposal should be considered from short, medium and longer views.

The Panel welcomed the inclusion of a Landscape Architect in the Design Team and welcomed the predicted score of 0.4 for the Urban Greening Factor. The landscape strategy was rich in detail and provides the minimum required play space for the proposed quantum. However, the Panel were concerned that the quality of the amenity space was compromised by the layout of the buildings. Amenity space was arranged around the edge of the building, particularly to the west of the site opposite the care home, with poor / circuitous access and limited overlooking. This issue was of particular concern in relation to the location of the older children's play area. Whilst the panel were encouraged to see the retention of the evergreen Holm Oak they were not convinced that the tree has the appropriate form to accommodate play facilities underneath and noted that construction works and the provision of play facility would be detrimental to long term health of the tree.

Overall it was felt that the landscape strategy was responding to the predetermined building layout rather than informing and guiding the development around good quality amenity space.

The Panel noted the importance of topography here in influencing the layout and massing studies, unfortunately detailed sections were not provided and the Panel were not convinced that the scheme addressed the potential impact on the neighbours, particularly the existing homes to the north and the care home to the west.

The Panel were not convinced that the proposed quantum of development for the site was informed by a clear understanding of the site, topography and context. The proposal is over scaled and this has negatively impacted on the amenity spaces.

The Panel were particularly concerned with quality and meagre dimensions of the central courtyard which appeared to be overshadowed by the surrounding development and particularly by the new block to the south. The Panel were not confident that the courtyard would be a place to spend time and were concerned that the planting health would be compromised by overshadowing. The Panel would like to see detailed sun lighting studies at the next review.

These issues may be addressed through the removal or lowering of the southern block fronting Baxendale Road in order to allow more sunlight into a larger central courtyard and the Panel encouraged the Design Team to revisit this aspect of the proposal.

The panel were not convinced that the case had been made for removal of the mature trees along the High Road. Replacement trees in raised planters here to separate the public footway from the commercial ground floor curtilage was questioned and detailed sections were requested for the Panel to get a clearer understanding of how the commercial ground floor will address the public realm. The Design Team may consider a streetscape scheme here that seeks to unify the space and positively address the high street. Above all the space should be designed for the users – both the public and the building occupants – and be a space that people want to dwell in.

The location of the main residential entrances were also queried and the Panel encouraged the Design Team to provide more detail on the architectural treatment of the main entrance at Baxendale Road. Whilst the public realm at the northern entrance was welcomed in principle the Panel would like to see more detailed plans here to ensure the entrance is both welcoming and secure.

Whilst the Panel welcomed commercial uses at the ground floor of Barnet House, the Design Team were encouraged to address the low floor to ceiling heights here - which may reduce the units appeal. It is important to consider what the commercial offer is here; would these units be attractive and suitable for a supermarket for example? Might the ceiling heights be raised here to provide more attractive robust commercial floor space?

#### Architecture

The Panel welcomed the retention of two access cores for Barnet House and the provision of dual aspect apartments with balcony areas, however the Panel were disappointed that they weren't provided sections in order to understand the scheme more fully. The Panel were not presented with layout plans for the apartments and could not comment on whether the proposed deep-plan units (c.19.7m depth extended from c.15m) or the size of the living spaces were well resolved.

The elevation studies for Barnet House illustrated the Design Team's intention to reduce the apparent mass of the building, despite increasing the floor plate. Overall the Panel felt that the scheme was overly complex and lacked coherence. Simplifying the scheme would make it more legible and potentially reduce cost.

The challenge here is to create character and identity to create a sense of place. Whether that is in the arch treatment on the ground floor, distinct columns or pursuing the woven elevation. The architecture of the new should respond to the architecture of the old. The Panel encouraged the Design Team to analyse the details of the existing Seifert buildings to help inform the design process and develop a stronger, unified vision for the whole scheme. Seifert created commercial spaces that were fun and creative.

The new buildings to the south and west employ a different architectural language to the converted Barnet House and the Panel encouraged the architect to develop a stronger narrative for the proposal. These buildings include projections and set-backs, perhaps a more restrained approach here would make the scheme more legible?

### Sustainability

The Panel welcomed the Design Team's approach to sustainability and the circular economy. However, the approach appears to be at odds with the use of mechanical ventilation in the parking garage and the Panel encouraged the Team to investigate a natural method of ventilation.

Although the provision of cycle parking was welcomed, the Panel also queried whether the number of car parking spaces were justified in this high street location which is within a short walk of Totteridge and Whetstone Underground Station. Reduced car parking spaces would help to achieve the stated sustainability aims. The Design Team were encouraged to develop a future proofing strategy that considers how the basement space may be converted into alternative uses.

### Summary

The Scheme presentation started with the welcome intention of creating some marvellous spaces (pocket parks, courtyard, roof gardens) but it didn't follow through with a clear narrative for the development. The Panel were disappointed that such an interesting building isn't being treated boldly or creatively enough. The Panel would like to see more considered arguments why this design proposal is better than other options. With careful consideration the Design Team are capable of creating an inspired scheme that does Barnet proud.

The Panel look forward to seeing the Scheme as it progresses.

UDL March 2021

## Appendix 3

Development Management & Building Control Service  
Barnet House, 1255 High Road, Whetstone, N20 0EJ  
Contact Number: 0208 359 4729

Miss Kelly Phillips  
Lichfields  
14 Regents Wharf  
All Saints Street  
London  
N1 9RL

Application Number: **17/5373/FUL**  
Registered Date: 17 August 2017

## **TOWN AND COUNTRY PLANNING ACT 1990**

### **REFUSAL OF PLANNING PERMISSION**

TAKE NOTICE that the Barnet London Borough Council, in exercise of its powers as Local Planning Authority under the above Act, hereby:

#### **REFUSES PLANNING PERMISSION for:**

**Redevelopment of the Barnet House site including change of use of the main building from B1 (office) to C3 (residential); extensions to front, side and rear elevations; and the addition of 2 storeys to the height of the main building, partially within the existing built framework. Demolition of the existing 3 storey rear annex and erection of a new building ranging from 2 to 6 storeys. Redevelopment will deliver 216 new homes and 1,352 sqm of community, retail and commercial floorspace, together with associated public realm, landscaping, new accesses and basement level car parking.**

**At: Barnet House, 1255 High Road, London, N20 0EJ,**

as referred to in your application and shown on the accompanying plan(s):  
For the following reason(s):

- 1 The proposed development, by virtue of its excessive height, scale, massing and density would represent an over development of the site resulting in a discordant and visually obtrusive form of development that would fail to respect its local context and the pattern of development in its context, to such an extent that it would be detrimental to the character and appearance of the area and would be detrimental to the visual amenity of adjoining residential occupiers. The proposal would therefore not constitute a sustainable form of development and would be contrary to the provisions of the NPPF, policies 3.4, 7.4, 7.6 and 7.7 of the London Plan 2016 and policies CS NPPF, CS5, DM01 and DM05 of the Barnet Local Plan Core Strategy and Development Management Policies 2012.
- 2 The proposed development by reason of the quantum of development and absence of appropriate secured mitigation would result in an undue strain being placed upon local services contrary to the provisions of Paragraph 7 of the NPPF, Policy 3.2 of the London Plan 2016 and Policy CS11 of Barnet Local Plan Core Strategy 2012.

## INFORMATIVE(S):

1. The plans accompanying this application are:

Site Location Plan	BRH-HKR-XX-XX-DR-A-0001 Rev 7
Site Plan	BRH-HKR-XX-XX-DR-A-0002 Rev 9
Existing Block Plan	BRH-HKR-XX-XX-DR-A-0006 Rev 4
Existing Basement Plan	LB95002 01
Existing Ground Floor Plan	BRH-HKR-XX-XX-DR-A-0100 Rev 3
Existing First Floor Plan	BRH-HKR-XX-XX-DR-A-0101 Rev 2
Existing Second Floor Plan	BRH-HKR-XX-XX-DR-A-0102 Rev 3
Existing Third Floor Plan	BRH-HKR-XX-XX-DR-A-0103 Rev 2
Existing Fourth Floor Plan	BRH-HKR-XX-XX-DR-A-0104 Rev 2
Existing Fifth Floor Plan	BRH-HKR-XX-XX-DR-A-0105 Rev 2
Existing Sixth Floor Plan	BRH-HKR-XX-XX-DR-A-0106 Rev 2
Existing Seventh Floor Plan	BRH-HKR-XX-XX-DR-A-0107 Rev 2
Existing Eighth Floor Plan	BRH-HKR-XX-XX-DR-A-0108 Rev 2
Existing Ninth Floor Plan	BRH-HKR-XX-XX-DR-A-0109 Rev 2
Existing Tenth Floor Plan	BRH-HKR-XX-XX-DR-A-0110 Rev 2
Existing Eleventh Floor Plan	BRH-HKR-XX-XX-DR-A-0111 Rev 2
Basement Level Proposed	BRH-HKR-XX-B1-DR-A-10B Rev 14
Ground Floor Plan Proposed	BRH-HKR-XX-GF-DR-A-1000 Rev 20
First Floor Plan Proposed	BRH-HKR-XX-01-DR-A-1001 Rev 18
Second Floor Plan Proposed	BRH-HKR-XX-02-DR-A-1002 Rev 18
Third Floor Plan Proposed	BRH-HKR-XX-03-DR-A-1003 Rev 15
Fourth Floor Plan Proposed	BRH-HKR-XX-04-DR-A-1004 Rev 15
Fifth Floor Plan Proposed	BRH-HKR-XX-05-DR-A-1005 Rev 15
Sixth Floor Plan Proposed	BRH-HKR-XX-06-DR-A-1006 Rev 15
Seventh Floor Plan Proposed	BRH-HKR-XX-07-DR-A-1007 Rev 15
Eighth Floor Plan Proposed	BRH-HKR-XX-08-DR-A-1008 Rev 15
Ninth Floor Plan Proposed	BRH-HKR-XX-09-DR-A-1009 Rev 15
Tenth Floor Plan Proposed	BRH-HKR-XX-10-DR-A-1010 Rev 15
Eleventh Floor Plan Proposed	BRH-HKR-XX-11-DR-A-1011 Rev 15
Twelfth Floor Plan Proposed	BRH-HKR-XX-12-DR-A-1012 Rev 14
Thirteenth Floor Plan Proposed	BRH-HKR-XX-13-DR-A-1013 Rev 15
Roof Level Proposed	BRH-HKR-XX-14-DR-A-1014 Rev 6
North Elevation Existing	BRH-HKR-XX-XX-DR-A-2009 Rev 2
East Elevation Existing	BRH-HKR-XX-XX-DR-A-2010 Rev 2
West Elevation Existing	BRH-HKR-XX-XX-DR-A-2011 Rev 2
South Elevation Existing	BRH-HKR-XX-XX-DR-A-2012 Rev 2
North Elevation Proposed	BRH-HKR-XX-XX-DR-A-2000 Rev 7
East Elevation Proposed	BRH-HKR-XX-XX-DR-A-2001 Rev 9
West Elevation Proposed	BRH-HKR-XX-XX-DR-A-2002 Rev 8
South Elevation Proposed	BRH-HKR-XX-XX-DR-A-2003 Rev 8
Courtyard North Elevation Proposed	BRH-HKR-XX-XX-DR-A-2004 Rev 6
Courtyard West Elevation Proposed	BRH-HKR-XX-XX-DR-A-2005 Rev 7
Courtyard South Elevation Proposed	BRH-HKR-XX-XX-DR-A-2006 Rev 7
Courtyard East Elevation Proposed	BRH-HKR-XX-XX-DR-A-2007 Rev 7
Site Sections Existing	BRH-HKR-XX-XX-DR-A-0005 Rev 4

Site Sections Proposed BRH-HKR-XX-XX-DR-A-0003 Rev 8  
Section AA Proposed BRH-HKR-XX-XX-DR-A-3000 Rev 9  
Section BB Proposed BRH-HKR-XX-XX-DR-A-3001 Rev 2  
Section Existing and Proposed BRH-HKR-XX-XX-DR-A-3002 Rev 5  
Submitted for Information  
Typical Floor Sections BRH-HKR-XX-XX-DR-A-3003 Rev 4  
Apartment Types BRH-HKR-XX-XX-DR-A-4000 Rev 8  
Accommodation schedule sheet 1 of 3 BRH-HKR-XX-XX-SA-A-6000 Rev 10  
Accommodation schedule sheet 2 of 3 BRH-HKR-XX-XX-SA-A-6001 Rev 9  
Accommodation schedule sheet 3 of 3 BRH-HKR-XX-XX-SA-A-6002 Rev 9  
Net internal area schedule BRH-HKR-XX-XX-SA-A-6003 Rev 3  
Gross Internal Area Plans BRH-HKR-XX-XX-SA-A-6004 Rev 6  
Gross Internal Area Plans BRH-HKR-XX-XX-SA-A-6005 Rev 7  
Gross Internal Area Plans BRH-HKR-XX-XX-SA-A-6006 Rev 7  
Gross Internal Area Schedule BRH-HKR-XX-XX-SA-A-6007 Rev 7  
Amenity Spaces BRH-HKR-XX-XX-SA-A-6009 Rev 2  
Typical Bay Elevations BRH-HKR-XX-XX-DR-A-2008 Rev 3

Arboricultural Method Statement and Arboricultural Impact Assessment;  
Archaeological Desk Based Assessment;  
Air Quality Assessment;  
Car Park Management Plan;  
Outline Construction Traffic Management Plan;  
Daylight, Sunlight and Overshadowing Study;  
Design and Access Statement;  
Desk Study Report;  
Delivery and Servicing Plan;  
Employment Statement (and Addendum);  
Energy Statement (and Addendum);  
Financial Viability and Housing Statement;  
Framework Travel Plan;  
Flood Risk and Surface Water Drainage Statement;  
Landscape Statement;  
Noise Impact Assessment;  
Outline Waste Management Strategy;  
Pedestrian Level Wind Microclimate Assessment;  
Planning Statement;  
Preliminary Ecological Appraisal;  
Statement of Community Involvement;  
Sustainability Statement (and Addendum);  
Townscape and Visual Appraisal;  
Transport Assessment (version 1.2);  
Tree Management Plan;  
Framework Travel Plan; and  
Utilities Assessment.

- 2 In accordance with paragraphs 186-187, 188-195 and 196-198 of the NPPF, the Council takes a positive and proactive approach to development proposals, focused on solutions. To assist applicants in submitting development proposals, the Local Planning Authority has produced planning policies and written guidance to guide applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered.

The applicant sought formal pre-application advice which was provided. Unfortunately the submitted scheme is not considered to accord with the Development Plan. If the applicant wishes to submit a further application, the Council is willing to assist in identifying possible solutions through the pre-application advice service.

**Date of Decision: 13 April 2018**

**Signed:**



**Fabien Gaudin**  
**Head of Development Management**

**NOTE(S):**

1. Your attention is drawn to the attached Schedule which sets out the rights of an applicant who is aggrieved by a decision of the Local Planning Authority.
2. This Notice relates solely to a planning decision and does not purport to convey any approval or consent which may be required under the Building Regulations or any other statutory purpose.

For more information about making a Building Regulations application, please contact the Barnet Council Building Control team by email ([building.control@barnet.gov.uk](mailto:building.control@barnet.gov.uk)), telephone (0208 359 4500), or see our website at [www.barnet.gov.uk/building-control](http://www.barnet.gov.uk/building-control)

3. For information on Construction Site Guidelines for Householders and Developers, please visit <https://www.barnet.gov.uk/citizen-home/environmental-health/pollution/construction-information.html>
4. For details relating to Street naming and numbering, please visit <https://www.barnet.gov.uk/citizen-home/planning-conservation-and-building-control/building-control/street-naming-and-numbering.html>

**APPEAL GUIDANCE:**

Should you (an applicant or agent) feel aggrieved by the decision of the Council to either refuse permission or to grant permission subject to conditions, you can appeal to the Secretary of State for the Department of Communities and Local Government – Sections 78 and 195 of the Town and Country Planning Act 1990 / Sections 20 and 21 of the Planning (Listed Buildings and Conservation Areas) Act 1990. Any such appeal must be made within the relevant timescale for the application types noted below, beginning with the date of the decision notice (unless an extended period has been agreed in writing with the Council):

- Six months: Full (excluding householder and minor commercial applications), listed building (including Certificate of Lawfulness in relation to a listed building), Section 73 'variation/removal', Section 73 'minor material amendment', extension of time and prior approval applications.
- 12 weeks: Householder planning, householder prior approval and minor commercial applications.
- 8 weeks: Advertisement consent applications
- No timescale: Certificate of lawful development (existing/proposed) applications.

Where an enforcement notice has been issued, the appeal period may be significantly reduced, subject to the following criteria:

- Where the development proposed by your application is the same or substantially the same as development that is the subject of an enforcement notice served within the last two years you must appeal within 28 days of the date of the application decision
- Where an enforcement notice is served on or after the decision date on your application relating to the same or substantially the same land and development as in your application and if you want to appeal against the Council's decision you are advised to appeal against the Enforcement Notice and to do so before the Effective date stated on the Enforcement Notice.

Appeals must be made using the prescribed form(s) of The Planning Inspectorate (PINS) obtained from [www.planning-inspectorate.gov.uk](http://www.planning-inspectorate.gov.uk) or by contacting 03034445000. A copy of any appeal should be sent both to PINS and the Council.

The Secretary of State can allow a longer period for giving notice of an appeal, but will not normally be prepared to use this power unless there are exceptional special circumstances. The Secretary of State can refuse to consider an appeal if the Council could not have granted planning permission for the proposed development or could not have granted without the conditions it imposed, having regard to the statutory requirements and provision of the Development Order and to any direction given under the Order. In practice it is uncommon for the Secretary of State to refuse to consider appeals solely because the Council based its decision on a direction given by the Secretary of State.

## **PURCHASE NOTICES:**

If either the Local Planning Authority or the First Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he/she can neither put the land to a reasonably beneficial use in its existing state nor can he/she render that land capable of a reasonable beneficial use by carrying out of any development which has been or would be permitted. In these circumstances, the owner may serve a Purchase Notice on the District Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.



## Appendix 4

## Schedule of Relevant Plans and Documents

Originally Submitted	Replacement Document or Plans Submitted	Supplementary Information Submitted
PL(02)–100 Rev-01 - Location Plan		
PL(02)–101 Rev-01 – Site Plan		
PL(02)–102 Rev-01 – Site Sections (1)		
PL(02)–103 Rev-01 – Site Sections (2)		
PL(03)–099 Rev-18 – Proposed Basement Plan	PL(03)–099 Rev-19 – Proposed Basement Plan	
PL(03)–100 Rev-18 – Proposed Ground Floor Plan	PL(03)–100 Rev-19 – Proposed Ground Floor Plan	
PL(03)–101 Rev-11 – Proposed First Floor Plan	PL(03)–101 Rev-12 – Proposed First Floor Plan	
PL(03)–102 Rev-9 – Proposed Second Floor Plan	PL(03)–102 Rev-10 – Proposed Second Floor Plan	
PL(03)–103 Rev-10 – Proposed Third Floor Plan	PL(03)–103 Rev-11 – Proposed Third Floor Plan	
PL(03)–104 Rev-9 – Proposed Fourth Floor Plan	PL(03)–104 Rev-10 – Proposed Fourth Floor Plan	
PL(03)–105 Rev-14 – Proposed Fifth Floor Plan		
PL(03)–106 Rev-10 – Proposed Sixth Floor Plan		
PL(03)–107 Rev-10 – Proposed Seventh Floor Plan		
PL(03)–108 Rev-10 – Proposed Eighth Floor Plan		
PL(03)–109 Rev-10 – Proposed Ninth Floor Plan		
PL(03)–110 Rev-10 – Proposed Tenth Floor Plan		
PL(03)–111 Rev-10 – Proposed Eleventh Floor Plan		
PL(03)–112 Rev-08 – Proposed Twelfth Floor Plan		
PL(03)–113 Rev-10 – Proposed Thirteenth Floor Plan		
PL(03)–114 Rev-09 – Proposed Roof Plan		
PL(04)–101 Rev-08 – Proposed Sections (1)		
PL(04)–102 Rev-08 – Proposed Sections (2)	PL(04)–102 Rev-09 – Proposed Sections (2)	
PL(04)–103 Rev-08 – Proposed Sections (3)		
PL(05)–100 Rev-08 – Proposed North Elevation	PL(05)–100 Rev-09 – Proposed North Elevation	
PL(05)–101 Rev-08 – Proposed South Elevation	PL(05)–101 Rev-09 – Proposed South Elevation	
PL(05)–102 Rev-09 – Proposed East Elevation		
PL(05)–103 Rev-08 – Proposed West Elevation		
PL(05)–104 Rev-08 – Proposed Internal Courtyard Elevation	PL(05)–104 Rev-09 – Proposed Internal Courtyard Elevation	

PL(05)–105 Rev-05 – Proposed Internal Courtyard Elevation		
PL(72)–101A Rev-04 – Barnet House First Floor Apartment Layouts - South		
PL(72)–101B Rev-04 – Barnet House First Floor Apartment Layouts - North		
PL(72)–102A Rev-03 – Barnet House Typical Apartment Layouts - South		
PL(72)–102B Rev-03 – Barnet House Typical Apartment Layouts - North		
PL(72)–112A Rev-02 – Barnet House Twelfth Floor Apartment Layouts - South		
PL(72)–112B Rev-02 – Barnet House Twelfth Floor Apartment Layouts - North		
PL(72)–113A Rev-02 – Barnet House Thirteenth Floor Apartment Layouts - South		
PL(72)–113B Rev-02 – Barnet House Thirteenth Floor Apartment Layouts - North		
PL(72)–200A Rev-03 – Baxendale Gardens Ground Floor Apartment Layouts - South		
PL(72)–200B Rev-02 – Baxendale Gardens Ground Floor Apartment Layouts - North		
PL(72)–201A Rev-02 – Baxendale Gardens First Floor Apartment Layouts - South		
PL(72)–201B Rev-02 – Baxendale Gardens First Floor Apartment Layouts – Core D	PL(72)–201B Rev-03 – Baxendale Gardens First Floor Apartment Layouts – Core D	
PL(72)–201C Rev-02 – Baxendale Gardens First Floor Apartment Layouts – Core A	PL(72)–201C Rev-03 – Baxendale Gardens First Floor Apartment Layouts – Core A	
PL(72)–202A Rev-03 – Baxendale Gardens Second Floor Apartment Layouts – South		
PL(72)–202B Rev-02 – Baxendale Gardens Second Floor Apartment Layouts – North	PL(72)–202B Rev-03 – Baxendale Gardens Second Floor Apartment Layouts – North	
PL(72)–202C Rev-02 – Baxendale Gardens Second Floor Apartment Layouts – Core A	PL(72)–202C Rev-03 – Baxendale Gardens Second Floor Apartment Layouts – Core A	
PL(72)–203A Rev-01 – Baxendale Gardens Third Floor Apartment Layouts – South		
PL(72)–203B Rev-01 – Baxendale Gardens Third Floor Apartment Layouts – North	PL(72)–203B Rev-02 – Baxendale Gardens Third Floor Apartment Layouts – North	
PL(72)–203C Rev-01 – Baxendale Gardens Third Floor Apartment Layouts – Core A	PL(72)–203C Rev-02 – Baxendale Gardens Third Floor Apartment Layouts – Core A	

PL(72)–204A Rev-01 – Baxendale Gardens Fourth Floor Apartment Layouts – South		
PL(72)–204B Rev-01 – Baxendale Gardens Fourth Floor Apartment Layouts – North	PL(72)–204B Rev-02 – Baxendale Gardens Fourth Floor Apartment Layouts – North	
PL(72)–204C Rev-01 – Baxendale Gardens Fourth Floor Apartment Layouts – Core A	PL(72)–204C Rev-02 – Baxendale Gardens Fourth Floor Apartment Layouts – Core A	
PL(72)–205A Rev-01– Baxendale Gardens Fifth Floor Apartment Layouts – South 1		
EX(03)–100 Rev-00 – Existing Ground Floor Plan		
EX(03)–101 Rev-00 – Existing First Floor Plan		
EX(03)–102 Rev-00 – Existing Second Floor Plan		
EX(03)–103 Rev-00 – Existing Third Floor Plan		
EX(03)–104 Rev-00 – Existing Fourth Floor Plan		
EX(03)–105 Rev-00 – Existing Fifth Floor Plan		
EX(03)–106 Rev-00 – Existing Sixth Floor Plan		
EX(03)–107 Rev-00 – Existing Seventh Floor Plan		
EX(03)–108 Rev-00 – Existing Eighth Floor Plan		
EX(03)–109 Rev-00 – Existing Ninth Floor Plan		
EX(03)–110 Rev-00 – Existing Tenth Floor Plan		
EX(03)–111 Rev-00 – Existing Eleventh Floor Plan		
DEM(03)–100 Rev-01 – Demolition Ground Floor Plan		
DEM(03)–101 Rev-01 – Demolition First Floor Plan		
DEM(03)–102 Rev-01 – Demolition Second Floor Plan		
DEM(03)–103 Rev-01 – Demolition Typical Third – Eleventh Floor Plan		
DEM(05)–100 Rev-00 – Demolition - East Elevation		
DEM(05)–101 Rev-00 – Demolition - South Elevation		
DEM(05)–102 Rev-00 – Demolition - West Elevation		
DEM(05)–103 Rev-00 – Demolition - North Elevation		
		PL(99) – 103 Rev- 00 – Proposed Third Floor Plan – Adjacency Plan
		PL(04) – 103 Rev-01 – Proposed Sections (3) demonstrating floor to ceiling heights
		15458 Rev 12 Unit Schedule November 2021

Site Photos, prepared by Daniel Watney LLP		
Financial Viability Assessment, prepared, July 2021 by BNP Paribas		Updated Affordable Housing Offer and Appraisals, November 2021
Planning Statement, prepared by Daniel Watney LLP		
Design and Access Statement, prepared by TateHindle;		
Landscaping Plans and Strategy, prepared by Exterior Architecture;		Landscape Statement Urban Greening Area extract submitted November 2021
		Biodiversity Net Gain Assessment, prepared by Greengage, submitted November 2021
Transport Assessment, including the Outline Construction Logistics Plan and Active Travel Zone Assessment, prepared by Velocity;		Updated Parking Beat Survey October 2021 and associated heat maps, prepared by Velocity  Email summarising parking survey results dated 18 October 2021
Travel Plan, prepared by Velocity;		
Delivery and Servicing Management Plan, prepared by Velocity;		
Car Park Design Management Plan, prepared by Velocity;		
Waste Management Plan, prepared by Velocity;		
Townscape and Visual Impact Assessment, prepared by Peter Radmall Associates;		
Verified Views, prepared by AVR;		
Energy Statement and Overheating Assessment, prepared by Chapman BDSP;		55418-CBD-LL-DR-CS-0001 - Basement Level Combined Services Layout  55418-CBD-LL-DR-M-1001 Site Wide LTHW Services Schematic  GLA Stage 1 Energy Memo Response, November 2021  Email confirming no heat network dated 3 November 2021
BREEAM Pre-Assessment, prepared by Chapman BDSP;		
Whole Carbon Life Cycle Assessment, prepared by Chapman BDSP;	Updated Whole Carbon Life Cycle Assessment, November 2021	WLC Assessment Template Spreadsheet, submitted October 2021  WLC Assessment Worksheet collated results, submitted November 2021
Circular Economy Statement, prepared by Chapman BDSP;	Updated Circular Economy Statement and Memo, submitted November 2021	Circular Economy Worksheets, submitted 10 October 2021

		<p>New Built Domestic Element Worksheet, submitted October 2021</p> <p>Refurbished Domestic and Non-Domestic Assets Worksheet, submitted October 2021</p> <p>GLA Stage 1 Circular Economy Memo Response, November 2021</p>
Utilities Statement, prepared by Chapman BDSP;		
Fire Statement, prepared by Chapman BDSP;		
Phase 1 Desk Study and Preliminary Risk Assessment, prepared by GEA;		
Arboricultural Report (including CAVAT Assessment, Arboricultural Impact Assessment, Arboricultural Method Statement and Tree Protection Plan), prepared by Arbtech;		Proposed Foundation For Root Protection Zones Plan K16233-BWP-XX-ZZ-DR-S-0600-P01
Statement of Community Involvement, prepared by BECG;		
Archaeological Report, prepared by CgMS Consulting;		
Ecology Survey, prepared by The Ecology Consultancy;		Peregrine Falcon Letter, November 2021
Air Quality Report, prepared by Mayer Brown;		
Daylight and Sunlight Assessment, prepared by EB7;		
Pedestrian Level Wind Microclimate Assessment, prepared by RWDI;		
Flood Risk Assessment & Drainage Strategy, prepared by Mayer Brown;		<p>Surface Water Flood Map, October 2021</p> <p>EA Flood Map, October 2021</p> <p>K16233 Barnet SW Network Note, September 2021</p> <p>K16233 SUDS Maintenance Schedule, September 2021</p> <p>Drainage Strategy K16233-BWP-XX-XX-DR-C-0100 P08</p> <p>Surface Water Drainage Strategy Schematic Elevation K16233-BWP-XX-XX-DR-C-0101 P01</p> <p>Drainage Construction Details K16233-BWP-XX-XX-DR-C-0200 P01</p> <p>Borehole Records</p>

Noise Impact Assessment, prepared by Mayer Brown;		
Employment Land Review, prepared by Grant Mills Wood; and		
Socio-Economic Assessment, prepared by Greengage.		

## Appendix 5

## Schedule of Statutory and Local Consultee Responses

Table 1 – Statutory Consultee Responses

Statutory Consultee	Comments	Appellant's Response
<p><b>Greater London Authority</b></p>	<p>The loss of commercial floorspace and change of use of the site to provide a residential-led development is supported in principle.</p> <p>The proposed density of the residential development is considered acceptable give the site is within a town centre, with good access to jobs, amenities and public transport.</p> <p>The layout successfully optimises the development potential of the site and the provision of soft landscaping is strongly supported.</p> <p>the tall building would reinforce the spatial hierarchy of the town centre, aid in wayfinding to the High Street, and would not adversely impact surrounding views or heritage assets within the wider context.</p> <p>The affordable housing offer as submitted with the application is unacceptable in the absence of an agreed viability position. The tenure split does not meet London or local plan requirements and should be revised with a view to providing low-cost rented units. An early and late stage viability review mechanism must be included in a S106 agreement. The application should consider increasing the proportion of two-bedroom homes in line with local plan requirements.</p> <p>Further design work should be done to articulate and activate the Baxendale elevation of the proposed development.</p> <p>A simpler façade expression with less depth would help reduce the perceived scale of Barnet House. The horizontal banded pattern with slipped angles applied to the High Road elevation is supported, however it appears to be a missed opportunity that this detailing doesn't extend across the whole of the building.</p> <p>Private ground level access to dwellings via the proposed terraces should be explored.</p>	<p>The Appellant's and Council's viability team held further discussions during the course of the application. Although the parties agree most appraisal inputs, they do not agree construction costs and the value attributable to the shared ownership units. Based on their position on these two inputs, the Council's advisors report a small surplus residual land value of £250,000, while the Appellant's advisors report a significant deficit. The Appellant therefore intends to present expert evidence on these matters.</p> <p>On the Baxendale elevation, further design work was undertaken to pull the concierge outwards to Baxendale which will provide an active, corner entrance into the hub of the site which will be fully glazed. The bin store was slightly reconfigured accordingly and included additional green screening to further add visual interest to this elevation.</p>

	<p>Indicative layouts of single aspect units and section plans demonstrating 2.5m minimum floor to ceiling heights should be provided.</p> <p>Further information and clarifications are required in terms of the risk of overheating, connections to future district heating networks, heat pumps and PV installation.</p> <p>Whilst a Circular Economy Statement has been provided, various outstanding information is required to be provided, prior to Stage 2 referral. This includes further detail of the retained and proposed buildings, key commitments, bill of materials, recycling and waste reporting, operation waste and end of life strategy.</p> <p>Hydraulic calculations should be appended to the drainage strategy, further above ground green SuDS should be incorporated where possible, and further information should be provided around the area of roof currently proposed to discharge into the ground. Rainwater harvesting should be included in line with the London Plan.</p> <p>Further information should be provided regarding the risk of flooding from groundwater and artificial sources.</p>	<p>Details were provided to the Council to demonstrate that the floor to ceiling heights achieve 2.5m.</p> <p>A response was provided to the GLA on these comments through a returned spreadsheet.</p> <p>An updated Circular Economy Statement was prepared and submitted to the GLA to address these comments.</p> <p>Regarding the water comments, hydraulic modelling calculations were submitted to the GLA as was an updated drainage plan. Technical information was provided to the GLA which concluded that regarding the depth of groundwater on site, the borehole records show a depth of groundwater of approximately 3.0m to 4.5 metres. Considering the SFRA along with the recorded groundwater depths from the boreholes, it is considered that the risk of groundwater flooding is low at the site location.</p> <p>Regarding risk from artificial sources, there is a large body of water to the south west of the site that is sitting immediately to the west of and below the 90m AOD ordnance survey contour, which is approximately 4 to 5 metres below development. If this failed or overflowed it would not be possible for it to impact the Development because the floodwater would flow west because the land falls in a westerly direction.</p>
<p><b>TFL</b></p>	<p>Broadly supportive of public realm enhancement proposed.</p> <p>Proposed reduction from 287 existing car parking spaces to 58 is strongly supported, however the provision of motorcycle spaces should not be considered as a sustainable mode of transport.</p> <p>Concern was raised that the proposed access to the cycle parking store may create conflict between cyclists and vehicles in the basement car park.</p>	<p>Minor amendments in the basement in November 2021, including widening the 'holding zone' in front of the first access to the cycle core to minimise conflict between bikes and cars, and providing a direct access from Core D into the cycle store so cyclists in this core will not be required to walk through the car park.</p>

	<p>Delivery and servicing arrangements proposed considered acceptable.</p>	
<b>Thames Water</b>	<p>No objection on foul water grounds.</p> <p>Regarding surface water drainage, there is no objection on the grounds that a sequential approach is followed for the disposal of surface water.</p> <p>Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required.</p>	
<p><b>LB Barnet</b></p> <p><b>Environmental Health</b></p> <p><i>Air Quality</i></p>	<p>Further information was requested regarding air quality. Comments queried the use of background concentration data from DEFRA rather than Chalgrove monitoring station.</p> <p>Comments also requested a sensitivity test and details regarding proposed boilers.</p> <p>Officers queried where the traffic data came from in the Air Quality Assessment.</p>	<p>The Appellant clarified that the proposed energy strategy an all-electric system via cascaded heat pumps and no boilers are proposed within the scheme.</p> <p>Background concentrations for PM<sub>2.5</sub> were not available from Chalgrove School automatic monitoring location. Consequently, for consistency the Appellant's air quality consultant used the same background data source for all pollutants being assessed and noted that even if updated modelling results were to be required/provided, this would not alter in any way the conclusions of the assessment, since the proposed development clearly results in an improvement to the local air quality (reduction of traffic flows when compared to previous office use, in line with Transport Assessment data).</p>
<i>Noise</i>	<p>Requested a condition securing a final noise report once design details are known. Also requested condition relating to the plant room on the sixth floor needing to be insulated acoustically.</p>	
<i>Contamination</i>	<p>Requested a condition securing a Verification Report, which the Appellant agreed to.</p>	
<i>Overheating/Energy</i>	<p>Requested further details and clarification regarding proposed boilers. As above, it was confirmed through correspondence that no boilers were proposed within the scheme.</p> <p>Requested further clarification in an updated report where all proposed mitigation is and</p>	<p>The strategy is to meet the overheating criteria in non-acoustical sensitive areas via openable windows which are typical for other London schemes. No internal blinds are required on site.</p> <p>For the acoustically sensitive areas i.e</p>

	<p>whether this is designed-in or occupancy-led.</p>	<p>when opening windows is not suitable, the strategy is to have increased mechanical ventilation rates to meet the TM59. The areas where these are required are highlighted with the submitted Acoustic Report prepared by Mayer Brown, Figure 8.11, July 2021.</p> <p>Regarding showing compliance with AVOG guidance, the originally submitted Mayer Brown report follows this guidance but does not provide detailed calculations as a detailed design has not been developed, as stated in the report, rather it identifies a worst-case acoustic performance for the vent panels.</p> <p>The report establishes the feasibility of the proposed strategy to address the overheating constraints presented but requires further design development at a future RIBA stage, to provide the full detail of the system and fully join up the overheating and acoustic considerations.</p> <p>As it is, the report has identified the worst-case scenario which the Appellant's energy consultant considers is robust. It was agreed that a suitably worded condition could secure these details.</p>
<p><b>Sustainable Drainage</b></p>	<p>Requested further details of how rainfall will be prevented from flowing down the ramped and stepped accesses to the basement terraces.</p> <p>Requested evidence that Thames Water agree for discharge into their system if the proposal includes connecting to sewer system.</p> <p>Stated that part of the site falls within the uFMfSW High Flood Risk area and Flood Zone 3a and that the submission's justification for no mitigation measures being required was not an adequate response.</p> <p>Requested further details from the Surface Water Drainage Strategy.</p>	<p>The flood risk comments state the site falls within the uFMfSW High Flood Risk Area (uFMfSW stands for updated Flood Map for Surface Water) and Flood Zone 3a. The Appellant confirmed that the site is in an area designated as a very low risk of surface water flooding and is in low risk Flood Zone 1. There is only a very small (almost imperceptible) section of low risk in the north east corner. There is a high risk of surface water flooding on High Road in front of the Development but it does not find its way onto the Appellant's site.</p> <p>With regard to details of how rainfall will be prevented from flowing down the ramped and stepped accesses to the basement terrace areas, it is expected that linear channels will be used to intercept the flow.</p>
<p><b>Transport and Highways</b></p>	<p>Requested an updated parking beat survey was undertaken.</p> <p>Fire access should be provided through the internal road via Baxendale.</p> <p>Requested confirmation that the public will</p>	<p>In line with the highways comments, an updated parking beat survey was undertaken with a scope agreed with the Council's highways team, the results of which were subsequently shared with them. The data clearly shows that the area has a significant amount of residual parking capacity through both overnight</p>

<p><b>Landscaping and Trees</b></p> <p><b>Ecology</b></p>	<p>have rights of way across the entire frontage.</p> <p>The loading area on Baxendale is too close to the junction and the limits of the adoptable highway and footway needs to be defined clearly. Given that this stretch of the footway is on a side road that serves a cul-de-sac, a minimum footway of 2 metres is required. Highways would request that loading is carried out on-site and that delivery vehicles are able to enter and exit the site in forward gear.</p> <p>Requested engineer verified sketches for the proposed foundation design which can then form the basis of a condition.</p> <p>The provision of the replacement scots pine tree should be close to its original position and can be captured within the landscape scheme.</p> <p>Initially requested further peregrine falcon surveys on the buildings to be conducted during the necessary seasons to understand if the building is being used for nesting by peregrines. Later confirmed that further surveys are not required for peregrine falcons or bats.</p>	<p>and daytime periods.</p> <p>The Appellant addressed these comments by submitting additional sketches as requested. The landscaping officer subsequently confirmed there would be no objection subject to conditions.</p> <p>The Appellant responded by submitted an updated peregrine falcon assessment having consulted with a local peregrine expert which provided further justification and clarification that there is a “negligible” potential for the building to support peregrines which was accepted by the Council’s ecology team who confirmed that no further surveys in respect of peregrine falcon are required.</p>
<p><b>Metropolitan Police</b></p>	<p>No objection subject to addition of planning condition seeking Secured By Design accreditation.</p>	

Table 2: Other Third Party Responses

<b>Comment</b>	<b>Appellant Response</b>
<p>Level of car parking, potential for overspill and deliveries and servicing arrangements</p>	<p>The proposed parking levels were agreed by the GLA, TfL and the Council's Highways team. The Appellant provided an updated parking survey which demonstrated that the area has a significant amount of residual parking capacity through both overnight and daytime periods</p> <p>The provision of consolidated delivery stores (or post-rooms) has been incorporated into the development design (contained within the concierge's office) to prevent deliveries to individual residential front doors from occurring. This allows for minimal dwell times of servicing vehicles undertaking deliveries.</p> <p>The commercial service entrance is located on Baxendale adjacent to the proposed shared on-street loading facility for the proposed development. It is proposed to service the site through the implementation of a lay-by and turning head on the northern side of Baxendale. The concierge for the residential dwellings will oversee access and egress of the loading lay-by, as well as arranging and directing delivery and servicing vehicles when necessary</p> <p>The design of the proposed lay-by has been designed such that multiple vehicles could be accommodated and serve the site concurrently. The turning area provided has specifically been included to ensure that vehicles serving the site are not required to turn within Baxendale itself with the exception of LBB's refuse vehicle that will turn within Baxendale in accordance with their current route and utilise the proposed lay-by to service the site. The level of proposed car parking, the potential for overspill and deliveries and servicing arrangements were cited as objections</p>
<p>Impact on Local Infrastructure</p>	<p>A Socio-Economic Report was submitted with the application which highlights the key benefits of the scheme for the wider area and demonstrates the capacity of local infrastructure to support the development.</p> <p>The Socio-Economic Statement concludes there will be positive impacts for existing local people and new residents including affordable housing provision, affordable workspace, local spending, provision of a new public pocket park and play space for all ages. The report confirms that there is sufficient capacity in local schools to accommodate the new residents of the development.</p> <p>Whilst limited capacity was identified at local GP surgeries, this will likely be addressed through mandatory local Community Infrastructure Levy payments. Impacts on local nurseries and wider community facilities will also be addressed through local Community Infrastructure Levy payments, as identified in Barnet's annual infrastructure funding statement.</p>
<p>Overdevelopment</p>	<p>The proposed density is appropriate to this town centre landmark site. The development will deliver ground floor affordable workspace, supporting small businesses and individuals within the development itself but also being well connected to Central London and local amenities to support future residents day-to-day. Design matters such as height, mass, excessive bulk and looking out of place were raised which we anticipate will form a reason for refusal for the scheme based on the previous application. This matter is responded to in Section 9 of this Statement of Case.</p>

	<p>The proposed extension to the front of building will improve the visible appearance of the Barnet House from ground level, creating a more inviting façade for passers-by along the High Road. The proposed front elevation alongside the series of significant landscaping improvements fronting the High Road will help to integrate this section of the High Road (which is of exceptionally poor quality and almost entirely inaccessible for pedestrians for the majority of its frontage) into the wider town centre, creating an area to meet for recreational activities that is not found elsewhere on the High Road at present.</p>
<p>Creating a wind tunnel effect</p>	<p>A Pedestrian Level Wind Microclimate Assessment was undertaken prior to the submission of the application to understand and minimise any wind effects for pedestrians. The assessment identified that with the introduction of the proposed development there would be strong winds that would require mitigation. As a result of this, measures were brought into the design of the scheme to generate a safe wind environment for pedestrians and occupants of the building. Measures include additional proposed landscaping, proposed security fencing and hedging. To note, the introduction of landscaping and other wind mitigation measures will help to improve wind conditions off-site.</p> <p>Following the implementation of the proposed mitigation measures, all locations except for one off-site location would have safe and suitable wind conditions for their intended use. As the introduction of the proposed development would not alter the wind conditions at this location, no additional mitigation measures would be required at this or any other location.</p>
<p>Loss of Office Space</p>	<p>Figure 6.4 of the LB Barnet Employment Land Review states that in Whetstone Town Centre, the action should be to promote small units, likely to support small local businesses.</p> <p>Furthermore, Barnet's Town Centres Floorspace Needs Assessment (TCFNA) (2017) recognises that Barnet House is proposed to be occupied for residential purposes (taking account of the planning applications at the time). The report states that due to the proposed residential purposes, no floorspace is likely to be achieved for main town centre uses and it was therefore excluded as an opportunity site for main town centre uses.</p> <p>The Employment Land Review (2017) also states that given the weight of development in the locale is residential, it is probably 'best left to the market'. The recommended action to promote small units is explained at paragraph 6.3.6 which states that these are sites where employment use is considered viable in the longer term. No LSIS status or other policy designation protects Barnet House from converting to alternative uses.</p> <p>Despite no policy action being taken in either the adopted or emerging Local Plan to protect Barnet House's office floorspace, the proposed development offers ground floor office floorspace including affordable workspace to support small local businesses.</p>
<p>Environmental Impacts</p>	<p>the proposed development will benefit from an Urban Greening Factor of 0.47, provide a net gain of site biodiversity and plant 46 trees (with a net gain of 33). The improvements to the natural environment being created by the proposed development include a pocket park, edible planting,</p>

	<p>biodiverse and climate resilient planting, residential gardens, roof terraces and a biodiverse green roof. It is considered that the proposed development will benefit the natural environment and will not cause any harm</p> <p>The AQA found that the proposed development is likely to result in a reduction of traffic movements on the local road network compared to the last use of the building for Barnet Council, which will have a positive impact on current pollution levels. Overall, the AQA concludes that the proposed development is very unlikely to raise any significant adverse impacts upon the health and/or quality of life of any existing neighbours or future residents, as a result of any anticipated changes to air quality</p>
<p>Daylight and Sunlight</p>	<p>There will be some reductions to individual windows, but the amount of daylight received within each of the neighbouring habitable rooms will remain high and in generally in excess of the BRE criteria.</p> <p>Where deviations from the targets do occur these are generally minor with retained absolute daylight levels in line with those generally considered to be typical of urban locations. The assessment of sunlight to neighbouring windows has also shown full compliance with the BRE criteria to all but one living room in Paulston House</p>
<p>Noise Impact</p>	<p>A Noise Assessment submitted with the application demonstrated that the proposed development complied with all relevant policies. With regards to traffic noise generated by the proposed development, the proposed development is predicted to generate a reduction in traffic movements compared with the site's current office use</p>
<p>Overlooking and Overshadowing</p>	<p>The existing building stands at 12-storeys with the addition of a concrete frame to enclose the rooftop plant areas which appear as an additional storey. The building also contains a three- storey annex to the rear.</p> <p>The proposed development extends to 14 storeys albeit the two additional storeys at roof level will be set back to improve the appearance and soften the visual impact of the building. Given the position of Barnet House facing the High Road and remaining in situ as part of the proposed development, it is highly unlikely that nearby residential properties will experience overlooking and overshadowing because of the proposals to Barnet House, as the impacts are likely to be similar to the existing situation.</p> <p>The proposals relating to the rear of the Barnet House site were carefully considered to ensure minimal impact to the nearby residential properties. The rear new build elements will range from 2-6 storeys and will be separated from the Baxendale Care Home and Baxendale properties by the larger of the two proposed landscape terraces.</p> <p>There are two roof terraces in the scheme with the western being the largest one. The balustrade is located back from the parapet edge to significantly reduce potential for overlooking and provide a planted buffer surrounding the terrace to protect nearby residents. This has the added benefit of creating a green setting compared with the existing views on to the site, adds additional habitats and increases the biodiversity of the terrace</p>

Fire Safety	<p>The proposed development is wholly in accordance with building regulations and has since very early design stages, involved a fire consultant to ensure that there are no compromises on fire safety. This application is also supported by a Fire Statement prepared by a qualified third party assessor.</p>
Loss of Trees	<p>Concerns regarding the risk to the south west TPO tree (Holm Oak) were addressed in the submitted Arboricultural Method Statement and subsequent engineering sketches agreed with the landscaping officer. These documents confirm that several protective measures will be put in place and can be secured by condition to ensure there is no harm to the Holm Oak or other TPO trees on the site being retained</p>
Housing Mix and Residential Quality	<p>Due consideration was given to the proposed housing mix of the scheme in the context of LB Barnet's identified housing need. LB Barnet's evidence base highlights that there is a priority for family housing. London Plan Policy H10 also gives consideration to the nature and location of sites, acknowledging that one- or two-bedroom units are generally more appropriate in locations that are closer to a town centre or station.</p> <p>Every residential unit will meet the minimum internal space standards for new dwellings as set out in Table 3.1 of the London Plan, provide each apartment with private outdoor amenity space, and also exceed communal outdoor and play space requirements. The proposed development therefore meets and exceeds residential standards set by LB Barnet and the London Plan.</p>
Crime and Safety	<p>The scheme has been designed in line with Secured by Design principles and Design Out Crime officers have been consulted on the application whom concluded that the Secured by Design requirements are achievable in this scheme</p>

## Appendix 6

## Barnet House, 1255 High Road

Local Planning Authority: Barnet  
Local Planning Authority reference: 21/3726/FUL

### Strategic planning application stage 1 referral

Town & Country Planning Act 1990 (as amended); Greater London Authority Acts 1999 and 2007; Town & Country Planning (Mayor of London) Order 2008.

### The proposal

Residential-led redevelopment of Barnet House including extensions and change of use of the main building from office to residential; demolition of the 2-storey annex and construction of a part 5/part 8 storey building, to deliver 260 new homes (13.5% affordable housing by habitable room) and 709sq.m. of employment floorspace. Associated parking, public realm, landscaping and access improvements.

The applicant is **Healey Development Solutions** and the architect is **TateHindle**.

### Strategic issues summary

**Land use principles:** Proposed optimisation of the town centre site for residential-led mixed-use development is supported. The proposed ground floor commercial floorspace should be secured for community use and workspace suitable for SMEs. A detailed marketing strategy for SME floorspace, including affordable workspace, should be secured (paragraphs 18-25).

**Housing:** 13.5% affordable housing by habitable room (100% shared ownership) is currently unacceptable and should be significantly increased. GLA officers will robustly interrogate the viability assessment to ensure that the maximum amount of affordable housing is delivered. Grant funding and the addition of low-cost rented units should be explored. Further information on rent levels, income triggers and review mechanisms must be provided prior to Stage 2 (paragraphs 26-36).

**Urban design:** The street level elevation along Baxendale Road should be activated or better articulated through design. Further detail on floor-to-ceiling heights, over-heating and single-aspect units is required. The proposed heights, massing and density could be supported subject to the Council's assessment against Part C of Policy D9, an exemplary standard of design secured by condition, and a high residential quality (paragraphs 43-62).

**Transport:** Access to the long-stay cycle parking facilities must be amended to ensure safe and convenient access. Detailed Delivery & Servicing Plan and Construction Logistics Plan to be secured by condition. Travel Plan to be secured by S106 (paragraphs 63-71).

Further information on **energy, whole-life carbon, circular economy, sustainable drainage and flood risk**.

### Recommendation

That Barnet Council be advised that the application does not yet comply with the London Plan for the reasons set out in paragraph 85. Possible remedies set out in this report could address these deficiencies.

## Context

1. On 04 August 2021 the Mayor of London received documents from Barnet Council notifying him of a planning application of potential strategic importance to develop the above site for the above uses. Under the provisions of The Town & Country Planning (Mayor of London) Order 2008, the Mayor must provide the Council with a statement setting out whether he considers that the application complies with the London Plan, and his reasons for taking that view. The Mayor may also provide other comments. This report sets out information for the Mayor's use in deciding what decision to make.
2. The application is referable under the following Category of the Schedule to the Order 2008:
  - Categories 1A: "Development which comprises or includes the provision of more than 150 houses, flats, or houses and flats" and,
  - Categories 1D(b): "Development which includes the alteration of an existing building which would, on completion of the development, be more than 30 metres high and is outside the City of London".
3. Once Barnet Council has resolved to determine the application, it is required to refer it back to the Mayor for his decision as to whether to direct refusal; take it over for his own determination; or, allow the Council to determine it itself.
4. The Mayor of London's statement on this case will be made available on the GLA's public register: <https://planning.london.gov.uk/pr/s/>

## Site description

5. The 0.59 hectare site is located in Whetstone Town Centre, East Barnet, close to the junction of Totteridge Lane and the High Road. The site fronts Baxendale Road to the south and west and the High Road to the east. The surrounding development includes a mix of commercial uses along the High Road with low-scale residential properties to the west.
6. The site is currently occupied by a 12-storey 1960's commercial building, known as Barnet House. A two-storey annex projects to the rear of the building. 212 parking spaces are provided at ground floor, with a further 75 spaces at basement level.
7. Barnet House provides approximately 11,000 sq.m. of office floorspace which was previously occupied by the London Borough of Barnet, who vacated the site in March 2021 and relocated to Collingdale. The site is currently vacant.
8. The site is not located within a conservation area, nor does it include any heritage assets. The nearest heritage asset is the Grade II listed 'The Whetstone', located to the north of the site on the opposite side of the High Road.

9. The site has a Public Transport Accessibility Level (PTAL) of 4, considered good on a scale of 1-6b, where 6b is the highest. Totteridge & Whetstone London Underground (LU) station is within 350m of the site and provides Northern Line services southbound towards Morden and northbound towards High Barnet. Seven bus services operate within 220m of the site.

## **Details of this proposal**

10. Proposed residential-led redevelopment of Barnet House including extensions and change of use of the main building from office to residential; demolition of the 2-storey annex and construction of a part 5/part 8 storey building, to deliver 260 new homes (13.5% affordable housing by habitable room) and 709sq.m. of employment floorspace. Associated parking, public realm, landscaping and access improvements.
11. The redevelopment includes the change of use of Barnet House from office (Class B1) to residential (Class C3), including a two-storey extension at roof level (maximum height of 14 storeys), front rear and side extensions and external alternations. The proposed refurbishment would allow for the provision of 166 residential units and 709sq.m of commercial floorspace at ground floor.
12. A 5-8 storey residential building, referred to as Baxendale Gardens, would be constructed to the rear of the retained Barnet House and would provide 94 residential units.

## **Case history**

13. In May 2017, Barnet House was granted prior approval for the change of use of the building from office (Class B1) to residential (Class C3), providing for 254 residential units (LPA reference: 17/1313/PNO). This permission has expired and has not been implemented.
14. In 2018, planning permission was refused at planning committee, against officers recommendation, for the redevelopment of Barnet House including extensions and change of use of the main building from office to residential; demolition of the 3-storey annex building and erection of a new building ranging in height from 2 to 6 storeys, to deliver 216 new homes (20% affordable housing by unit) and 1,325 sq.m. of employment floorspace (LPA reference: 17/5373/FUL, GLA reference: 4397/01/02). The reasons for refusal included excessive height, scale and massing and the undue strain on local services due to an absence of secured mitigation measures.

## **Strategic planning issues and relevant policies and guidance**

15. For the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the development plan in force for the area comprises the Barnet Council's Core Strategy (2012); the Development Management Policies DPD (2013); and, the London Plan 2021.
16. The following are also relevant material considerations:

- The National Planning Policy Framework and National Planning Practice Guidance;
- The Affordable Housing and Viability SPG
- New Barnet Town Centre Framework (2010); and,
- Barnet Draft Local Plan (Reg 19) (June 2021).

17. The relevant issues, corresponding strategic policies and guidance (supplementary planning guidance (SPG) and London Plan guidance (LPG)), are as follows:

- Offices and affordable workspace – London Plan;
- Housing - London Plan; Housing SPG; the Mayor’s Housing Strategy; Play and Informal Recreation SPG; Character and Context SPG; Good Quality Homes for All Londoners draft LPG;
- Affordable housing - London Plan; Housing SPG; Affordable Housing and Viability SPG; the Mayor’s Housing Strategy;
- Urban design - London Plan; Character and Context SPG; Public London Charter draft LPG; Housing SPG; Play and Informal Recreation SPG; Good Quality Homes for All Londoners draft LPG;
- Inclusive access - London Plan; Accessible London: achieving an inclusive environment SPG; Public London Charter draft LPG
- Sustainable development - London Plan; Circular Economy Statements draft LPG; Whole-life Carbon Assessments draft LPG; ‘Be Seen’ Energy Monitoring Guidance draft LPG; Mayor’s Environment Strategy;
- Air quality - London Plan; the Mayor’s Environment Strategy; Control of dust and emissions during construction and demolition SPG;
- Transport and parking - London Plan; the Mayor’s Transport Strategy; and,
- Biodiversity - London Plan; the Mayor’s Environment Strategy; Preparing Borough Tree and Woodland Strategies SPG.

## **Land use principles**

### Loss of commercial floorspace

18. The proposal would result in the loss of approximately 11,000 sq.m. of office floorspace and the reprovision of 709 sq.m. of flexible workspace (Class E).

19. The site is located within the Whetstone District Town Centre. Table A1.1 ‘Town Centre Network’ of the London Plan identifies a low commercial growth potential and medium residential growth potential for the Whetstone Town Centre. In terms

office guidelines, the London Office Policy Review identified a demand for existing office functions, generally within smaller units.

20. At a local level, the site is allocated as Site 54 'Barnet House', within the emerging Regulation 19 version of Barnet Draft Local Plan. Whilst the site allocation acknowledges the prior approval which has been granted to convert the existing offices to residential, it notes that any application should include community and commercial office uses. The site allocation requires a proportion of 90% residential uses and 10% community/commercial uses and an indicative residential density of 139 units. Whilst the plan has not yet been formally adopted, the draft site allocation is a material consideration in determining planning applications, albeit with limited weight due to its emerging status.
21. The applicant has confirmed that the existing office space has remained vacant since March 2021 and is currently in a poor state of repair. In this respect, the proposed development would not require the displacement of existing commercial tenants. Whilst the principle of the change of use from office to residential was established by the 2019 prior approval, this permission expired before it was implemented on site. Notwithstanding this, as the site is not located within a protected office location within London Plan Policy E1 and has been identified for residential-led development within the emerging site allocation, the redevelopment and change of use of the site to provide a residential-led development is supported in principle, in line with Policy E1(I).
22. The proposal would provide 709sq.m. of commercial floorspace within the ground floor of Barnet House. This provision represents 4% of the overall floorspace, and as such, falls short of the 10% requirement within the draft site allocation. In line with the London Plan Policies E1 and E2 and the emerging site allocation, the redevelopment should include community and commercial space, suitable for small and medium-sized businesses (SMEs). The proposed ground floor commercial floorspace should be specifically secured as community and workspace units, within a suitable sub-category of Class E, and should be suitable for SMEs. A detailed marketing strategy for SME floorspace should be secured by condition.
23. In line with London Plan Policy E3, 50% of the commercial space would be provided as affordable workspace, let at 50% of market rents. This provision, along with details of rent levels, tenancy lengths and management should be secured within a S106 agreement.

### Residential

24. London Plan Policy H1 seeks to optimise the potential for housing delivery on suitable brownfield sites. The London Plan sets a strategic target for Barnet to deliver a minimum of 23,640 homes in the Plan period of 2019-2029 as set out in Table 4.1. The proposed redevelopment of the site to provide 260 residential units would contribute towards this target.
25. London Plan Policy SD6 promotes new housing within and on the edges of town centres through mixed-use or residential development that makes best use of land, capitalising on the availability of services within walking and cycling

distance, and their current and future accessibility by public transport. Furthermore, whilst the emerging draft Local Plan can only be afforded limited weight, the site is identified for residential development. The proposed residential-led development is therefore supported in strategic planning terms.

## Housing

26. The refused application ref: 17/5373/FUL (GLA4397/02) included 216 Build to Rent residential units with a 21% affordable housing provision (habitable room). In line with the London Plan requirements for Build to Rent housing, all affordable units were to be provided at London Living Rent. The affordable housing was not cited as a reason for refusal by the Council.
27. The proposed development would provide 260 residential units (Class C3). 32 affordable units are proposed within Block B, equating to 12% by unit and 13.5% by habitable room. All affordable homes would be provided as shared ownership.

**Table 2.2.1: Affordable unit mix**

Unit type	No of units	% of total
One bed 2 person	6	19%
One bed 2 person (WC)	9	28%
Two bed 4 person	6	19%
Three bed 5 person	8	25%
Three bed 5 person (WC)	3	9%
<b>Total</b>	<b>32</b>	<b>100%</b>

### Affordable housing

28. London Plan Policy H4 seeks to maximise the delivery of affordable housing, with the Mayor setting a strategic target of 50%. At a local level, Barnet's Local Plan sets a strategic target of 40% affordable housing seeking a tenure split of 60% social/affordable rented units and 40% intermediate housing units.
29. London Plan Policy H5 and the Mayor's Affordable Housing and Viability SPG set out a 'threshold approach', whereby schemes meeting or exceeding a specific percentage of affordable housing by habitable room, without public subsidy, and other criteria such as tenure mix are eligible for the Fast Track Route (FTR). Such applications are not required to submit viability information to the GLA and are also exempted from a late stage review mechanism. In case of the application site, a minimum of 35% affordable housing by habitable room, without public subsidy, with an acceptable tenure mix and range of affordability levels must be provided to be eligible for the FTR.
30. The scheme proposes 13.5% affordable housing by habitable room (12% by unit), all of which would be provided as intermediate, shared ownership units. Officers note that the previous scheme, which proposed 216 build to rent residential units, included an affordable housing offer of 20% by habitable room

(100% intermediate tenure). The current application therefore provides an uplift of 44 units and reduction in the provision of commercial floorspace from 1,352 sq.m. to 709sq.m. However, despite this, the proportion of affordable housing has reduced from 20% to 12% (by unit). Officers note that the revised proposal includes a large basement level, which would be contributing to the overall cost of the development.

31. The current offer of 13.5% is unacceptable in the absence of an agreed viability position and does not meet the 35% threshold for the FTR. Furthermore, the Barnet Local Plan requires a tenure split of 60% social/affordable rented units and 40% intermediate housing units. The proposal to provide 100% intermediate housing does not therefore meet London or local plan requirements and should be revised with a view to providing low-cost rented units.
32. The applicant has provided a financial viability assessment (FVA), which will be robustly interrogated by GLA officers to ensure the scheme delivers the maximum amount of affordable housing. The Council's independent review of the FVA must also be provided to the GLA for review, prior to Stage 2 referral. The applicant must also investigate the potential for Mayoral grant funding (and other available public subsidy) with a view to further increasing the level of affordable housing.
33. The Council must publish any financial viability assessment, in accordance with the Mayor's Affordable Housing and Viability SPG. GLA officers note that this document is not currently available on the council's planning application search. GLA officers will ensure that the assessment is made available, to ensure transparency of information.
34. The affordability of the units must comply with the requirements of Policy H6 of the London Plan, the Mayor's Affordable Housing and Viability SPG, and the London Plan Annual Monitoring Report (AMR). Benchmark rent levels for any London Affordable Rented units must be detailed for each unit size. In accordance with paragraph 4.6.9 of the London Plan, the intermediate homes should be available to people on a range of incomes below the maximum household income, which is currently £90,000, as set out in the AMR. Once agreed, these ranges for the intermediate units and the rent levels for the affordable rent units must be secured within the S106 agreement
35. Any S106 agreement must include an early stage viability review to be triggered if an agreed level of progress in implementation is not made within two years of the permission being granted (or a period agreed by the Council), as set out in the Mayor's Affordable Housing and Viability SPG and London Plan Policy H5. A late stage review must also be secured should the affordable housing offer remain below the 35% threshold for the Fast Track Route.
36. A draft S106 agreement should be provided to GLA officers to review prior to any Stage 2 referral to allow officers check that the above requirement are met.

## Housing choice

37. London Plan Policy H10 encourages a full range of housing choice and states that boroughs should provide guidance on the size of units required to ensure affordable housing meets identified needs. Draft Policy HOU02 of the draft Local Plan identifies that three-bedroom properties are the highest priority for both sale and rent, and two and four-bedroom homes are a medium priority.
38. Of the 206 units, 12.8% of the units are three-bedroom family-sized units, 35.3% two-bedroom units, and 51.9% are one-bedroom units. No studio flats are proposed. The proposal includes a higher proportion of one and two-bedroom units in relation to local plan requirements. In line with Policy H10, the units size mix should be agreed with the Council to meet local housing need.
39. Of the 32 affordable units, 34% would be three-bedroom, 19% would be two-bedroom and 47% would be one-bedroom. Whilst the provision of three-bedroom intermediate homes is welcomed, the application should consider increasing the proportion of two-bedroom homes, in line with the local plan requirements.

## Children's play space

40. Policy S4 of the London Plan seek to ensure that development proposals include suitable provision for play and recreation, and incorporate good-quality, accessible play provision for all ages, of at least 10 sq.m. per child and that is not segregated by tenure. The proposal would provide 657sq.m. of dedicated play space, which exceeds the minimum requirement for each age group, based on the development's child yield based on the Mayor's SPG (59 children).
41. Playspace would be provided within the central courtyard, two roof terraces and along 'Orchard Walk', a linear route at the rear of the site and would include a range of natural features such as play trails and play equipment. Whilst the provision of play is generally acceptable, the Council should ensure that the playspace for 0-4 year olds within Orchard Walk would be secure and a boundary treatment would restrict access from this space from Baxendale Road.
42. In line with Policy S4, the ongoing availability of all play space to all children in the development must be appropriately secured by condition. A detailed play strategy, including details of the location of play equipment should be secured by planning condition. All playspace should be located within areas that are overlooked and receive sunlight.

## **Urban design**

43. Chapter 3 of the London Plan sets out key urban design principles to guide development in London. Design policies in this chapter seek to ensure that development optimises site capacity; is of an appropriate form and scale; responds to local character; achieves the highest standards of architecture, sustainability and inclusive design; enhances the public realm; provides for green infrastructure; and respects the historic environment.

### Optimising development capacity

44. London Plan Policy D3 requires developments to make the most efficient use of land and to optimise density, using an assessment of site context and a design-led approach to determine site capacity. Higher density developments should be promoted in locations that are well connected to jobs, services, infrastructure and amenities by public transport, walking and cycling. Accordingly, whilst the provision of 260 residential units exceeds the residential density within the emerging site allocation (139 units), given the location of the site within a town centre, with good access to jobs, amenities and public transport, the proposed density is considered appropriate.
45. London Plan Policy D4 requires that developments which exceed 350 units per hectare or 30 metres in height, must undergo at least one design review, or demonstrate that they have undergone a local borough process of design scrutiny. The applicant has confirmed that the scheme has been robustly scrutinised by the Council through the preapplication process and has been presented to an independent design review panel. The panel report should be made available to GLA officers prior to stage 2 referral.

### Development layout, public realm and landscaping

46. The proposed development includes the retention and extensions of the existing structure of Barnet House and the construction of two new residential blocks to the south and west, forming an L-shape and central courtyard. Overall, the proposed layout is considered to successfully optimise the development potential of this town centre site, whilst appropriately responding to the mixed character of the surrounding area.
47. The higher-density, taller element of Barnet House is appropriately sited within the town centre, with active commercial uses provided at ground floor. Entrances to the ground floor commercial units and signage zones should be maximised to create a vibrant town centre environment. The proposed new build residential buildings would be arranged around the secondary street frontages (Baxendale Road) and would maintain appropriate distances to adjacent development. Whilst the overall layout of the proposed residential development does not raise strategic concern, the street level elevation along Baxendale Road is predominantly blank and would benefit from design articulation or a potential reconfiguration of the building uses in this area.
48. The proposed development includes a comprehensive landscape strategy. In terms of the site's frontage within the town centre, the proposal intends to retain the existing London Plane trees and create a pocket park with informal seating areas, to activate the ground floor commercial space. This approach is strongly supported, and detailed design should be secured by condition. Private amenity space for residents would be provided within the central courtyard, roof terraces and within 'Orchard Walk' and 'Holm Oak Corner', at the rear of the site. Whilst concerns were previously raised regarding overshadowing to the central courtyard and playspace, the height of the eastern corner has been reduced by two storeys to address this concern. Overall, the proposed provision of soft

landscaping across the site is strongly supported in line with London Plan Policy G5 and should be appropriately secured.

### Scale, massing and architecture

49. The Whetstone Town Centre is predominantly characterised by 3-4 storey buildings. Two 12-storey buildings, Northway House and Barnet House, are located at each end of the Whetstone high street, acting as landmark buildings to the town centre. Given the existing height of Barnet House, the proposed addition of two-storeys is not considered to have a detrimental impact on the skyline, nor would it adversely affect the character of the area where it is situated. Whilst the Local Plan does not currently identify the application site as suitable for tall buildings, the principle of a tall building in this location has been established and this has been reflected in the emerging local plan which identifies that tall buildings may be appropriate in locations along the A100 (High Road). In this instance, there is not considered to be conflict with part B of Policy D9.
50. The applicant has addressed part C of London Plan Policy D9 within the submitted material. In line with the visual impact requirements, GLA officers are satisfied that the tall building would reinforce the spatial hierarchy of the town centre, aid in wayfinding to the High Street, and would not adversely impact surrounding views or heritage assets within the wider context. In terms of architectural quality, the Council should ensure that the architectural detailing and materials are robustly secured by condition, to ensure that an exemplary standard of design is achieved.
51. The functional impacts of the building have been considered within the DAS. In addition to this, various technical reports have been submitted which assess the environmental impacts of the proposed tall building. As the Local Planning Authority, Barnet Council will undertake a full review of the environmental impacts as part of their assessment of the proposal and GLA officers will work with the Council to ensure that any necessary environmental mitigation measures are secured.
52. The footprint of Barnet House would extend further to the east, west and southern boundaries. The proposed articulation and framing, along with the addition of linear balconies assist in breaking up the overall massing. The recessed roof addition to Barnet House, with its two-storey rectangular framing, is heavily articulated and appears to be overly prominent in the streetscape. A simpler façade expression with less depth would help reduce the perceived scale.
53. In terms of materials and detailing, the overall strategy to draw from the surrounding residential development is supported. The horizontal banded pattern with slipped angles applied to the High Road elevation is supported, however it appears to be a missed opportunity that this detailing doesn't extend across the whole of the building. This is particularly evident when considering the corner cut-out in the north-east building.
54. Materials and architectural detailing should be robustly scrutinised by the Council and appropriately secured by condition to ensure an exemplary quality of design, in line with London Plan Policy D9.

## Residential quality

55. All residential units would meet the minimum internal floorspace standards and would benefit from private amenity space in the form of balconies or terraces. Private ground level access to dwellings via the proposed terraces should be explored. This has potential to improve the efficiency of the ground floor plans by removing unnecessary circulation space and will increase activation throughout the day.
56. The proposed floorplans indicate that the development would include a significant proportion of single aspect units. Officers consider that further buildings articulation could be used to mitigate this. Prior to Stage 2 the applicant should confirm the percentage of single aspect units, with a view to maximising dual aspect homes. In line with the Good Quality Homes for All Londoners draft LPG, justification is required for the inclusion of any single-aspect units. Where single aspect units are unavoidable, the units must not be north facing and should not be larger than one bedroom, as it is difficult to achieve adequate natural ventilation and daylight to all rooms in an efficient plan layout. Whilst it is noted that the proposal currently includes 2-bedroom single-aspect units, the unit layouts have not been provided to enable an assessment of light, outlook and ventilation to these units. Plans showing the indicative layout of the single aspect 2-bedroom units must be provided prior to Stage 2 referral.
57. In terms of building layout, each core within Barnet House and Baxendale Gardens would serve a maximum of 7 units. The communal corridors within Barnet House would not benefit from natural ventilation of light. Section plans must be provided prior to Stage 2 demonstrating a minimum floor-to-ceiling height of 2.5 metres is achieved.
58. In line with London Plan Policy D6 and SI4, an over-heating assessment has been provided. Further clarifications and commitments are required to ensure a suitable environment for future residents. These detailed have been provided to the applicant within the detailed energy comments.

## Fire safety

59. A Fire Safety Strategy has been prepared in line with the requirements of London Plan Policy D12. Whilst detailed information on materials and product types are not yet available, the statement confirms that the material performance to fire will be in accordance with Regulation 7 'Materials and Workmanship' (Building Regulations 2010), ensuring that all materials are non-combustible.
60. The Fire Statement and provision of fire evacuation lifts should be secured by condition.

## Inclusive access

61. London Plan Policy D5 seeks to ensure that new development achieves the highest standards of accessible and inclusive design (not just the minimum). Policy D7 of the London Plan require that at least 10% of new build dwellings

meet Building Regulation requirement M4(3) 'wheelchair user dwellings' (designed to be wheelchair accessible or easily adaptable for residents who are wheelchair users); and all other new build dwellings must meet Building Regulation requirement M4(2) 'accessible and adaptable dwellings'. The planning statement accompanying the application states that the units all comply with Part M of the Building regulations. The Council should secure M4(2) and M4(3) requirements by condition as part of any permission.

### Heritage

62. The closest heritage asset is the Grade II listed Whetstone, outside the Griffin Public House, which is located opposite the Totteridge Road High Road junction, on the opposite side of the High Road. Given the town centre location, the established 12 storey height of Barnet House and the modest increase, the proposed development would not harm the setting or significance of this heritage asset, in line with London Plan Policy HC1.

## **Transport**

### Healthy streets

63. The Healthy Streets Transport Assessment (TA) includes an Active Travel Zone (ATZ) assessment, which is welcomed. Key walking and cycling destinations identified in the ATZ Assessment are accessed via borough roads. The improvement identified within the ATZ assessment should therefore be secured by the Council within a S278 agreement, in line with London Plan Policies T2 and T4.

### Trip generation

64. Whilst trip generation should consider London Underground trips split out by direction and gate line alongside a loading capacity assessment, given the low level of additional demand expected to be generated by the development, the trip generation assessment is accepted.

### Car parking

65. The proposed development rationalises the 287 existing car parking spaces at the site to provide a proposed 58 car parking spaces at 0.22 spaces per dwelling. The reduction is strongly supported. The 11 blue badge spaces proposed complies with London Plan Policy T6.1. All blue badge spaces should be provided with active Electric Vehicle Charging Point (EVCP) provision, secured by condition.

66. Section 3.15.11 of the Transport Assessment sets out that an area has been allocated within the basement car park to accommodate motorcycle parking. TfL does not consider motorcycles a sustainable mode and requests this is withdrawn from the application proposal.

### Cycle parking and vision zero

67. A total of 455 long-stay and 18 short-stay cycle parking spaces are proposed. The level of long stay cycle parking proposed complies with the minimum standards set out in table 10.2 of the London Plan. Cycle parking must comply with TfL's London Cycling Design Standard (LCDS) guidance. The level of short stay cycle parking proposed is acceptable in line with London Plan minimum standards.
68. The proposed access to the cycle parking store increases the threat of conflicts between cyclists and vehicles in the basement car park. This threatens Vision Zero, the goal to eliminate all deaths and serious injuries in London by 2041. Access to long stay cycle parking facilities should be amended in order to be convenient and safely accessible in line with section 8.1.2 (Cycle parking principles) of TfL's LCDS guidance.

### Deliveries, servicing and construction

69. Servicing is proposed from the southern boundary of the site on Baxendale through the implementation of a lay-by and turning head. The proposed design will allow for a place for sustainable freight through the provision of an area suitable for cargo bikes to deliver directly to the concierge. Overall, the delivery and servicing arrangements comply with Policy T7 of the London Plan.
70. In line with London Plan Policy T7, a Delivery and Servicing Plan (DSP) and full Construction Logistics Plan (CLP) should be secured by condition and discharged in consultation with TfL.
71. The submitted Travel Plan should be secured and implemented through the Section 106 agreement.

## **Sustainable development**

### Energy strategy

72. The applicant has submitted an energy assessment which is generally compliant with London Plan Policy S12. The proposed domestic element would achieve an on-site reduction of 62%/63% beyond Building Regulations and the non-domestic element would achieve a 36% reduction. The applicant should confirm the associated carbon offset payment that will be made to the borough. This should be calculated based on net-zero carbon target for domestic and non-domestic development.
73. Prior to Stage 2, further information and clarifications are required in terms of the risk of overheating, connections to future district heating networks, heat pumps and PV installation. Draft planning obligations, including Be Seen monitoring, and conditions should be shared with the GLA, prior to stage 2 referral.

## Whole Life Carbon

74. In accordance with London Plan Policy S112 the applicant will be expected to calculate and reduce whole life-cycle carbon emissions to fully capture the development's carbon footprint. Whilst a Whole Life Carbon (WLC) assessment has been submitted, further information is required in terms of WLC reduction actions and estimated savings, material types and quantities, future decarbonisation. Detailed comments have been provided separately. All responses should be provided on the spreadsheet memo.

## Circular Economy

75. London Plan Policy D3 states that the principles of the circular economy should be taken into account in the design of development proposals in line with the circular economy hierarchy. London Plan Policy S17 requires major applications to develop Circular Economy Statements. The draft Circular Economy Statements Guidance (October 2020) provides further information on how to prepare a Circular Economy Statement. Whilst a Circular Economy Statement has been provided, various outstanding information is required to be provided, prior to Stage 2 referral. This includes further detail of the retained and proposed buildings, key commitments, bill of materials, recycling and waste reporting, operation waste and end of life strategy. Detailed comments have been provided separately. All responses should be provided on the spreadsheet memo.

## **Environmental issues**

### Urban greening

76. The proposed development presents a well-considered approach to integrating green infrastructure and urban greening across the masterplan, which is strongly supported. This includes the incorporation of green infrastructure which can achieve multiple benefits, including rain gardens, in accordance with London Plan Policy G1.

77. The applicant has calculated the Urban Greening Factor (UGF) of the proposed development as 0.46, which exceeds the target set by Policy G5 of the London Plan. A drawing showing the surface cover types should be submitted prior to Stage 2 referral.

### Sustainable drainage and flood risk

78. The Flood Risk Assessment (FRA) generally complies with London Plan Policy S112, however further information should be provided regarding the risk of flooding from groundwater and artificial sources.

79. The surface water drainage strategy does not comply with London Plan S1.13. Hydraulic calculations should be appended to the drainage strategy, further above ground green SuDS should be incorporated where possible, and further information should be provided around the area of roof currently proposed to

discharge into the ground. Rainwater harvesting should be included in line with the London Plan.

80. The proposed development generally meets the requirements of London Plan Policy S15. The applicant should also consider water harvesting and reuse to reduce consumption of water across the site. This can be integrated with the surface water drainage system to provide a dual benefit.

### Trees

81. Whilst the development requires the removal of 7 individual trees and 3 groups of trees, the proposal would result in a net gain of 33 trees and an overall improvement in green landscaping, in line with London Plan Policy G7.

### **Local planning authority's position**

82. Barnet Council planning officers are currently assessing the application. In due course the Council will formally consider the application at a planning committee meeting.

### **Legal considerations**

83. Under the arrangements set out in Article 4 of the Town and Country Planning (Mayor of London) Order 2008 the Mayor is required to provide the local planning authority with a statement setting out whether he considers that the application complies with the London Plan, and his reasons for taking that view. Unless notified otherwise by the Mayor, the Council must consult the Mayor again under Article 5 of the Order if it subsequently resolves to make a draft decision on the application, in order that the Mayor may decide whether to allow the draft decision to proceed unchanged; or, direct the Council under Article 6 of the Order to refuse the application; or, issue a direction under Article 7 of the Order that he is to act as the local planning authority for the purpose of determining the application (and any connected application). There is no obligation at this stage for the Mayor to indicate his intentions regarding a possible direction, and no such decision should be inferred from the Mayor's statement and comments.

### **Financial considerations**

84. There are no financial considerations at this stage.

### **Conclusion**

85. London Plan policies on town centre uses, housing, urban design, transport, environment and sustainable development are relevant to this application. The proposed residential-led mixed use redevelopment could be supported subject to the maximum level of affordable housing being secured. The application does not fully comply with the London Plan as summarised below:

- **Land use principles:** Proposed optimisation of the town centre site for residential-led mixed-use development is supported. The proposed ground floor commercial floorspace should be secured for community use and workspace suitable for SMEs. A detailed marketing strategy for SME floorspace, including affordable workspace, should be secured.
- **Housing:** 13.5% affordable housing by habitable room (100% shared ownership) is currently unacceptable and should be significantly increased. GLA officers will robustly interrogate the viability assessment to ensure that the maximum amount of affordable housing is delivered. Grant funding and the addition of low-cost rented units should be explored. Further information on rent levels, income triggers and review mechanisms must be provided prior to Stage 2.
- **Urban design:** The street level elevation along Baxendale Road should be activated or better articulated through design. Further detail on floor-to-ceiling heights, unit layouts, over-heating and single-aspect units is required. The proposed heights, massing and density could be supported subject to the Council's assessment against Part C of Policy D9, an exemplary standard of design secured by condition, and a high residential quality.
- **Transport:** Access to the long-stay cycle parking facilities must be amended to ensure safe and convenient access. Detailed Delivery & Servicing Plan and Construction Logistics Plan to be secured by condition. Travel Plan to be secured by S106.
- Further information on **energy, whole-life carbon, circular economy, sustainable drainage and flood risk.**

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We are committed to being anti-racist, planning for a diverse and inclusive London and engaging all communities in shaping their city.

## Appendix 7

## Main Relevant Policies

### *London Plan 2021*

- GG1 'Building strong and inclusive communities'.
- GG2 'Making the best use of land'.
- GG3 'Creating a healthy city'.
- GG4 'Delivering the homes London needs'.
- GG5 'Growing a good economy'
- GG6 'Increasing efficiency and resilience'.
- SD6 'Town centre and high streets'.
- SD7 'Town centres: development principles and Development Plan documents'.
- SD8 'Town centre network'.
- SD9 'Town centres: Local partnerships and implementation'
- SD10 'Strategic and local regeneration'
- D1 'London's form, character and capacity for growth'
- D2 'Infrastructure requirements for sustainable densities'
- D3 'Optimising site capacity through the design-led approach'
- D4 'Delivering good design'
- D5 'Inclusive design'
- D6 'Housing quality and standards'
- D7 'Accessible housing'
- D8 'Public realm'
- D9 'Tall buildings'
- D11 'Safety, security and resilience to emergency'
- D12 'Fire safety'
- D14 'Noise'
- H1 'Increasing housing supply'

- H4 'Delivering affordable housing'
- H6 'Affordable housing tenure'
- H10 'Housing size mix'
- S4 'Play and informal recreation'
- E1 'Offices'
- E2 'Providing suitable business space'
- E3 'Affordable workspace'
- G1 'Green infrastructure'
- G5 'Urban greening'
- G6 'Biodiversity and access to nature'
- G7 'Trees and Woodlands'
- S11 'Improving air quality'
- S12 'Minimising greenhouse gas emissions'
- S13 'Energy infrastructure'
- S14 'Managing heat risk'
- S15 'Water infrastructure'
- S112 'Flood risk management'
- S113 'Sustainable drainage'
- T1 'Strategic approach to transport'
- T2 'Healthy Streets'
- T3 'Transport capacity, connectivity and safeguarding'
- T4 'Assessing and mitigating transport impacts'
- T5 'Cycling'
- T6 'Car parking'
- T7 'Deliveries, servicing and Construction'

## *Core Strategy 2012*

- CS NPPF 'Presumption in favour of sustainable development'
- CS1 – Place shaping strategy – the three strands approach'
- CS3 – 'Distribution of growth in meeting housing aspirations'
- CS4 – 'Providing quality homes and housing choice in Barnet'

- CS5 – ‘Protecting and enhancing Barnet’s character to create high quality places’
- CS6 – ‘Promoting Barnet’s town centres’
- CS8 ‘Promoting a strong and prosperous Barnet’
- CS9 ‘Providing safe, effective and efficient travel’

## *Development Management Policies Document 2012*

- DM01 ‘Protecting Barnet’s character and amenity’
- DM02 ‘Development standards’
- DM03 ‘Accessibility and inclusive design’
- DM04 ‘Environmental considerations for development’
- DM05 ‘Tall buildings’
- DM08 ‘Ensuring a variety of sizes of new homes to meet housing need’
- DM10 ‘Affordable housing contributions’
- DM11 ‘Development principles for Barnet’s town centres’
- DM14 ‘New and existing employment space’
- DM16 ‘Biodiversity’
- DM17 ‘Travel impact and parking standards’

## *Local Plan Review – 2021 Submission Version*

- GSS01 ‘Delivering sustainable growth’
- GSS08 ‘Barnet’s District town centres’
- HOU01 ‘Affordable housing’
- HOU02 ‘Housing mix’
- CDH01 ‘Promoting high quality design’
- CDH02 ‘Sustainable and inclusive design’
- CDH03 ‘Public realm’
- CDH04 ‘Tall buildings’
- CDH07 ‘Amenity space and landscaping’
- TOW01 ‘Vibrant town centres’
- TOW02 ‘Development principles in Barnet’s town centres, local centres and parades’
- ECY01 ‘A vibrant local economy’
- ECY02 ‘Affordable workspace’

- ECY03 'Local jobs, skills and training'
- ECC01 'Mitigating climate change'
- ECC02 'Environmental considerations'
- ECC02A 'Water management'
- ECC06 'Biodiversity'
- TRC01 'Sustainable and active travel'
- TRC02 'Transport infrastructure'
- TRC03 'Parking management'
- Annex 1 – Schedule of Site Proposals

## Appendix 8



## Appeal Decision

Inquiry opened on 5 July 2021

Site visit made on 13 July 2021

**by Paul Jackson B Arch (Hons) RIBA**

an Inspector appointed by the Secretary of State

**Decision date: 30 September 2021**

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**Appeal Ref: APP/N5090/W/21/3271077**

**679 High Road, North Finchley, London N12 0DA**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Taylor Wimpey UK Ltd against the decision of the Council of the London Borough of Barnet.
  - The application Ref 20/3823/FUL, dated 5 August 2020, was refused by notice dated 5 March 2021.
  - The development proposed is demolition of the existing building and redevelopment of the site to provide 307 homes in a series of buildings up to nine storeys, car parking, cycle parking, hard and soft landscaping, and associated facilities.
- 

### Preliminary matters

1. The Inquiry opened on Monday 5 July and sat for 5 days in virtual format. A preliminary site visit of the surrounding area was carried out on Tuesday 29 June and an accompanied visit to the site and relevant viewpoints was made on Tuesday 13 July. Written closing remarks from the Council and the Finchley Society were received on 9 August 2021 and from the appellant on 13 August. The Inquiry was closed in writing on 20 August 2021.
2. The Revised National Planning Policy Framework (NPPF) was issued on 21 July 2021. The main parties were given the opportunity to incorporate any comments in their closing submissions and these have been taken into account.

### Decision

3. The appeal is dismissed.

### Main issues

4. The main issue is the effect of the proposed development on the character and appearance of the area. The Council also refused planning permission on the basis that a S106 Agreement had not been completed covering affordable housing and other matters. A signed and dated S106 Unilateral Undertaking (UU) was subsequently submitted which I address later in this decision. A secondary issue which arose during the course of the appeal relates to whether the local planning authority can demonstrate a 5-year supply of housing land, as required by the NPPF.

## **The site and surroundings**

5. The site of about 1 hectare comprises a former Homebase store with associated car park. It was built just before the turn of the 21<sup>st</sup> century on the site of the 1905 North Finchley tram depot, subsequently a trolley bus and bus garage, which closed in the 1990s. The area around the tram depot was largely built out with terraced and semidetached dwellings before 1936. Terraced Edwardian dwellings line Rosemont Avenue on the north side of the site and streets to the south and west contain mainly semi-detached houses, though Christchurch Avenue has more recent 4 storey flats facing the site at its eastern end. There are also later residential terraced houses in Woodberry Grove facing the western boundary.
6. North Finchley town centre lies to the north of the site and contains 2 notable and conspicuous tall buildings of 9 storeys (707 High Road, formerly Finchley House, now Flint Court) and 16 storeys (The Arts Depot, providing a variety of spaces for drama, dance and visual arts as well as residential) grouped around the historic road junction where the A598 Ballards Lane diverges from the A1000 High Road (Great North Road) towards Islington. The 2.5 storey Finchley Mosque adjoins the site at its north east corner and benefits from planning permission for a substantial extension mainly on the southern side.

## **Reasons**

### *Policy background*

7. The development plan for the area includes the London Plan of 2021 (LonP) and the Barnet Core Strategy (CS) and Development Management Policies (DMP) of September 2012. Barnet's replacement 'Local Plan Reg 18 Preferred Approach' was approved for consultation on 6 January 2020. Due to its current stage in the process towards adoption it can only attract limited weight.
8. North Finchley is one of the four priority town centres in the Borough promoted in the CS as a main focus for commercial investment and residential growth. It notes that priority town centres are locations for existing tall buildings which have contributed to their visibility and importance as service centres and places with high levels of public transport accessibility. Development Management Policy DM05 – *Tall Buildings* sets out a criteria-based approach for assessing proposals for tall buildings and Policy CS5 identifies North Finchley town centre as a potential location where they may be appropriate. CS policy CS6 seeks to promote the town centres whilst ensuring that new development is of an appropriate scale and character for the centre in which it is located.
9. The Supplementary Planning Document (SPD) North Finchley Town Centre Framework (TCF) of 2018 provides specific guidance on interpreting and implementing Barnet's Local Plan policies in supporting the potential for future growth and to manage anticipated change. In conjunction with this, Barnet's Tall Buildings Study (TBS) of 2010 and its subsequent review and update of 2019 (TBSU) provide advice on where tall buildings (defined as 8-14 storeys) have been developed, where others are planned and the opportunity for new locations to be identified.

### *Character and appearance*

10. Barnet's Characterisation Study of 2010 (CSB) is of some age but is a helpful guide to urban character and local distinctiveness. The existing Homebase store is designated as 'box development' typology, typically of a large scale with associated car parking and little relationship to surrounding streets. North Finchley town centre forms a separate typology of older urban fabric with a fine grain. The boundary of the town centre is set out at figure 4 of the TCF and excludes the appeal site and Rosemont Avenue to the north. The residential street primary typology surrounds the appeal site. The town centre boundary is not adjacent, but just touches the appeal site at the north eastern corner where shops at 634-636 High Street face the adjoining Finchley Mosque.
11. The primary residential streets typology is subdivided into secondary typologies. The appellant and the Council are in broad agreement on the characterisation of the surrounding streets as being 'urban' rather than 'suburban'. However the scale of the proposal is such that it would be seen from further away. I agree with objectors that large parts of streets to the south and west of the appeal site (Woodberry Grove and Way, Christchurch Avenue), designated in the CSB as 'urban terrace' mainly consist of semi-detached houses with hipped roofs and generous rear gardens, largely indistinguishable from development on the east side of the High Road (such as Sandringham Gardens, Addington Drive and Kenver Avenue) designated as 'suburban' (TCA 1 and TCA 2 in the appellant's Townscape Study, excepting Rosemont Avenue). The dividing line between sub-typologies is necessarily area based and hard to pin down, but the sense of homogeneity that links contemporary development of much of the area west, south and east of the tram depot in the early 20<sup>th</sup> century is clearly perceivable. Post-war development along the High Road and at the east end of Christchurch Avenue of greater scale (TCA 4 in the townscape study) does not diminish this. Moreover, the character of the area is very much influenced by attractive small scale domestic features and details typical of the 'suburban' period such as carved bargeboards, stained glass, oriel and bay windows and 'tudor' gables.
12. On the other hand, there can be no dispute that terraces in Rosemont Avenue fall in the secondary typology 'urban terrace' along with Churchfield Avenue opposite the Mosque and other streets close to the town centre such as Lambert Road and Dale Grove. The upshot of this is that the site lies in an area of broadly homogenous character consistent with mainly low-rise development of domestic scale. Although on the southern edge of the town centre, the 2 tall buildings there do not impact to any extent on the dynamic experience of local occupiers using their gardens and streets, except perhaps where they are directly in the line of sight, such as from north facing rear gardens in Rosemont Avenue (about 16-18 dwellings at most) and in views along the High Road and Ballards Lane looking north. Tall urban development in the town centre is clearly visible from the appeal site car park but does not form a significant part of, or contribute in any appreciable way, to the character of the majority of the residential area around the appeal site. As such the surrounding low to mid-rise residential area is sensitive to change.
13. In this immediate context, tall buildings as high as 9 storeys would appear starkly out of keeping, the more so on Christchurch Avenue where the 2 central 9 storey blocks C and D would flank a vehicle access and due to the sloping ground, would present as nearer 10 storeys with the lower ground car parking

podium level. The visual impact would be only partly relieved by some single aspect maisonettes and the bulk of the scheme would dominate views from the street and from dwellings and gardens opposite (Viewpoint 5). The variation in height of the 5 tallest blocks seen from the High Road and from Woodberry Grove and the rest of Christchurch Avenue would do little to mitigate for the overall bulk. Moreover, the limited distance between the blocks would mean that anyone walking along Christchurch Avenue would have a curtailed perception of houses and gardens beyond the scheme to the north and limited opportunity to appreciate the relationship between the scheme and the taller buildings at the centre of North Finchley, which would be about 170m away. The lack of visibility of the 'podium gardens' from Christchurch Avenue would further add to the development's stark appearance.

14. The visual impact of the scheme is graphically illustrated in the Townscape Study at Figure 5 which, notwithstanding intervening walls and vegetation, indicates the potential effect on the surrounding low-rise environment and the skyline. The scheme would be prominent in views along Hutton Grove, Christchurch Avenue (Viewpoint 6) and Churchfield Avenue outside the context of the North Finchley town centre group. The increased prominence of the built form along adjacent streets would not just be local but would be apparent from a wider area.
15. In Viewpoint 9 of the Townscape Study (Rosemont Avenue), it is apparent that residents on the south side of the road would directly face the highest 9 storey elements of the development and residents on the north side would see these blocks high above over the roofs of those on the south side. In the Townscape Study assessment of this photomontage, in contrast to others, residents are not recorded as receptors, despite their dwellings being within about 22-27m of the 9 storey elevations and their gardens closer. The sections submitted late in the Inquiry<sup>1</sup> also illustrate the degree of change. The wall of the existing Homebase store is rightly acknowledged as a detractor, but this is at the western end of the road and the replacement 4/5 storey blocks F and G would represent an improvement in townscape terms, at the cost of some loss of winter sunlight for the occupiers of Nos. 34-40.
16. Finchley House is about 29m away from the nearest dwelling in Rosemont Avenue and that is the 5 storey element. The 9 storey part is indirectly viewed from houses but is visible above the roofs from the footway. It does not unduly impact on the fine grain character of Rosemont Avenue but lies in the background. In stark contrast, blocks B, C and D of the appeal scheme would be overbearing and would overwhelm the scale and grain of Rosemont Avenue along most of its length. They would be constantly visible on passing along the road. They would not be seen in the context of the tall buildings in the centre but would represent a fundamental change of character in a completely different direction. The repetitive fenestration of these blocks would make the massing more prominent. Even taking into account the improvement at the western end, the significance of the visual effect would represent a moderate-major level of harm.
17. Turning to tall buildings guidance, 7 'clusters' of varying height are identified in the TBSU at pages 38/39 within the historic 'corridor' along the Great North Road passing through the Borough. North Finchley and Whetstone are

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<sup>1</sup> Inquiry Doc 9, CD 9.1

identified as suitable for tall buildings of 8-14 storeys, based on the character of the area, proximity to town centres and public transport accessibility. The appeal scheme would fall within the elliptical line on the plan, but would be visually distinct from the Arts Centre and Finchley House group at the centre of North Finchley. The site does not fall within any of the 3 Key Opportunity Sites identified in the TCF as suitable for sensitively designed tall buildings and referenced in the TBSU. Additionally, they would be seen as a compact group of parallel slabs with substantial combined bulk, very different from the existing tall buildings. As such they would not respond well to the existing grain of the town centre or be well integrated with the predominantly low to mid-rise pattern in the area.

18. LonP policy D3 requires optimisation of site capacity through a design-led approach whilst 'enhancing local context by delivering buildings and spaces that positively respond to local distinctiveness through their layout, orientation, scale, appearance and shape, with due regard to existing and emerging street hierarchy, building types, forms and proportions' and responding to 'the existing character of a place by identifying the special and valued features and characteristics that are unique to the locality and respect, enhance and utilise the heritage assets and architectural features that contribute towards the local character' amongst other things. These aims are in concert with LP policies and the objectives for good design set out in the National Design Guide (NDG).
19. LonP policy D9 on tall buildings sets out criteria to be considered including C (1) ii which notes that 'mid-range views from the surrounding neighbourhood – particular attention should be paid to the form and proportions of the building. It should make a positive contribution to the local townscape in terms of legibility, proportions and materiality' and iii: 'Where the edges of the site are adjacent to buildings of significantly lower height or parks and other open spaces there should be an appropriate transition in scale between the tall building and its surrounding context to protect amenity or privacy'. The LonP further defines optimisation as 'coordinating the layout of the development with the form and scale of the buildings and the location of the different land uses....' Paragraph 3.3.7 explains that development should be designed to respond to the special characteristics of the distinctive features of a place which can include: predominant architectural styles and/or building materials; architectural rhythm; distribution of building forms and heights. The proposed development responds poorly to the prevailing scale and grain of the surroundings, overemphasises the contribution made to character by tall buildings in the town centre and underplays the effect of the proposal in terms of height and bulk. Positive impacts of the proposal on the High Road and at the western end of the scheme are seriously undermined by the overpowering visual impact of the higher blocks which would have limited space between them, creating an impression of unredeemed mass, quite out of place in an area of fine grain low to mid-rise residential development.
20. The Finchley Society refer to the reduction in daylight and sunlight, particularly in winter, that would be experienced by occupiers of properties in Rosemont Avenue, mainly due to the height of blocks B and C. The appellant acknowledges that the effects would exceed the BRE guidelines in some cases but points out that in the context of the appeal site, currently comprising a low-rise retail unit and a large open car park in a brownfield location in an urban area, such consequences are to be expected. The NPPF expects a flexible approach which does not inhibit making efficient use of a site. Whilst the

resulting living standards in Rosemont Avenue would not be unacceptable following this line of guidance, they would represent a significant and noticeable deterioration in amenity which would be out of character in any low/mid-rise residential area outside a town centre and would represent a dramatic change here. Furthermore, paragraph 71 of the NDG indicates that proposals for tall buildings require special consideration. It has not been explained why it has not been possible to optimise density whilst at the same time better resolving this environmental impact. The effect on daylight and sunlight on occupiers of south facing houses and gardens adds weight to the suggestion that the scheme would be too high and bulky.

21. Turning to separation between the proposed blocks, there are instances where flats would face each other across a distance of less than the minimum standard of 18-21 metres set by the Mayor of London in the 2016 Housing SPG; and in most cases less than the Council's minimum standard of about 21m. Projecting balconies further reduce the distance between opposing units. Staggering the living areas of flats is no answer to the difficulty of avoiding a direct view into bedrooms, which are habitable rooms. Many flats would be single aspect in practice (I give little weight to the idea that a side window onto an adjacent balcony works to provide a 'dual aspect') and many future residents would only have a view of other people's windows to contemplate, especially from deeper within a unit. There would be a clear perception of overlooking if not an obvious invasion of privacy in some cases, based on the minimum standards in policy guidance. Again, whilst not necessarily unacceptable in adopting a 'flexible' approach, the consequences of the balance struck to achieve optimisation would be a demonstrably poor outcome in terms of living conditions and character and appearance.
22. The lack of any significant articulation in the fenestration of the highest blocks beyond projecting or recessed balconies (the 'mansard' upper level having been omitted in design development) would not help to relieve the unremitting and repetitive appearance of these elements. In contrast, the 4, 5 and 6 storey blocks facing the High Road, Woodberry Grove and Rosemont Avenue would be significantly more sympathetic in scale to the surroundings, helped by gable ends, proportionate detailing of brickwork panels and an active street scene.
23. The SPD area extends beyond the town centre boundary 'in order to facilitate and support the regeneration of the town centre'. The southern and northern gateways are indicated to be important elements in securing the town centre's future improvement and the southern 'gateway' includes the appeal site and residential development in Rosemont Avenue. However the town centre boundary is drawn carefully around the rear of Finchley House, now Flint Court, coinciding with the back gardens in Rosemont Avenue, which is where there is a strong sense of character change. The TCF acknowledges this at paragraph 6.29, where scale and massing advice for Key Opportunity Site 3 (Finchley House) suggests a tiered building decreasing in height towards south and west where there is existing residential. Whilst the TCF identifies potential for public realm and gateway improvements as well as intensification on the edge of the town centre, the site does not fall into any of the Key Opportunity Sites, locations where tall buildings could be appropriate. Even in the KOS areas, the TCF emphasises the importance of respecting height, scale and surrounding context and the need to transition sensitively. The combination of intensively developed blocks of 4, 5, 6, 8 and 9 storeys with a prominent podium would present a strongly discordant element. It would not integrate well with the

- existing urban fabric and would not, except in two distinct locations, add to the overall quality or be sympathetic to the character of the area.
24. To summarise, the minimal space between flats (at the limit of acceptability according to the Mayor's 2016 Housing SPD at paragraph 2.3.36) the flexible interpretation of 'dual aspect' (essentially a bay window, and still difficult to ventilate naturally) the long internal corridors necessary to achieve the development potential desired, the screening necessary to prevent overlooking between flats and the poor ground level 'dead' façade of the higher blocks, comprising mostly bin stores, plant rooms and cycle stores facing the central pedestrian walkway all combine to reinforce the impression of a very high level of density that would be unacceptably out of character.
25. The NDG advises that a well-designed place comes about through making the right choices at all levels, including, inter alia, the form and scale of buildings. It says (paraphrasing from paragraph 43) that 'well-designed new development is integrated into its wider surroundings, physically, socially and visually. It is carefully sited and designed, and is demonstrably based on an understanding of the existing situation, including... patterns of built form, to inform the layout, grain, form and scale; the architecture prevalent in the area, including the local vernacular and other precedents that contribute to local character, to inform the form, scale, appearance, details and materials of new development....' It has not been shown that the appeal scheme meets these important criteria which support one of the overarching objectives of the NPPF which is to foster well-designed, beautiful and safe places.
26. In conclusion, the development would conflict with the townscape and design quality aims of LonP policies D3 and D9, CS policy CS05, and DMP policies DM01 and DM05, as well as emerging policies and relevant guidance in the NPPF and NDG.

#### *Housing land supply*

27. The LonP requirement over 5 years is 11820 dwellings. The parties are agreed that the overall 5 year requirement is 14321 dwellings, taking into account previous shortfalls and the applicable buffer. The extent of the shortfall in the last plan period between 2016/6 and 2019/20 amounted to 1199 dwellings. The delivery of affordable housing has fallen and is significantly below target<sup>2</sup>.
28. The Council currently claims it can demonstrate a 5 year housing land supply (5YRHLS) of 14888 dwellings, equivalent to 5.2 years supply, a decline from 5.3 years according to the figures presented in evidence at the start of the Inquiry. The difference between 5.2 and 5 years amounts to around 568 new dwellings. The appellant assesses the supply position at 4.06 years at best.
29. The NPPF advises at Annex 2 that to be considered deliverable, sites for housing should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years. I accept that about 12173 dwellings of the Council's supply benefit from an extant planning permission or prior approval and that these are deliverable within 3 or 5 years, according to the NPPF definition, amounting to about 85% of the requirement. I do not accept, on the balance of probabilities, the appellant's position that predicted rates of delivery at

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<sup>2</sup> 29% of its strategic target in the last 3 monitoring years (GLA Planning Report GLA/6640/S2 CD7.4)

category 'A' sites Millbrook Park or the Peel Centre, given that they are ongoing apartment projects by major developers, are likely to fall as low as predicted by the appellant, even though these are higher than are typical for developments in neighbouring boroughs. I find the Council's assessment of 368 dwellings per annum (dpa) on small sites as somewhat optimistic, given the number of completions between 2012 and 2017 falling as low as 221 dpa. Choosing any fixed period carries the risk of distortion, but on balance I find the appellant's suggestion of a 10 year average to be compelling, given that the average for the last 3 years was 391 dpa and recognition that small sites vary with economic cycles. This results in a deduction of 179 dwellings from the 5YRHLS.

30. It was not appropriate to carry out an in-depth site analysis during the Inquiry, which relied on a 'round-table' session for this issue and confined the discussion to general principles and typical examples. The parties co-operated in preparing a discreet statement of common ground which together with detailed rebuttal proofs, provided the opportunity for concessions and refinement of the picture.
31. The majority of the remaining developments relied on by the Council (2715 units) are challenged by the appellant. Many of these sites only have outline planning permission or are identified in the emerging Local Plan which has just completed consultation and is at 'Reg 19' stage and no planning application has yet been made. On some sites, planning permission has lapsed and there can be little certainty in terms deliverability. At Whalebones Park (149 units) for instance, the Council refused permission and an appeal (undefended except on S106 grounds) is in progress. It is unclear that all of the dwellings claimed would be delivered within the plan period.
32. Importantly, 3 major sites planned for delivery of around 927 dwellings within the plan period present particular difficulties in terms of clear evidence. The Army Reserve Depot may be promoted by the MoD and on an edge of town centre location but is a Reg 19 site and remains occupied by the MoD. No application for planning permission has been made and it does not clearly meet the criteria for deliverability. At 811 High Road and Finchley House (north of the appeal site) 334 (or 335) the buildings are currently occupied, or in the case of Finchley House, already converted to residential use under permitted development rights. A development partner has withdrawn due to land ownership issues and the ongoing effects of the pandemic and whilst a new partner is on board, there must be a degree of caution regarding the anticipated level of completions. The appellant also draws attention to Broadway Retail Park where at the time of the Inquiry, no decision had been made on a long-standing application for outline planning permission for 400 homes. The site is currently a functioning retail park and subject to significant objections. Delivery is in any case programmed for towards the end of the plan period. No appreciable reliance can currently be attached to this significant site.
33. Of the remaining sites in dispute, I find as follows (numbers refer to Council reference):
  18. Edgware Hospital: 86 units, application submitted: no restrictions: reasonable prospect.
  193. West Hendon Estate: 81 units: delivery ongoing by Barratt: reasonable prospect.

203. Finchley Memorial Hospital: 130 units: resolution to grant consent: evidence of delivery: reasonable prospect.
11. Church Farm Leisure Centre: 12 units: vacant site, being marketed: no constraints: reasonable prospect.
59. East Barnet Library: 12 units: vacant: no constraints: reasonable prospect.
72. Bobath Centre: 25 units: evidence from developer aiming for completion 2023: reasonable prospect.
74. East Finchley substation: 23 units: derelict brownfield site: reasonable prospect.
110. Brentmead Close: 46 units: evidence from TfL: reasonable within 5 years: temporary occupation by synagogue: reasonable prospect this will come forward.
- 117,119,121,124. Hendon Hub: 189 units: G L Hearn confirm planning applications expected summer 2021: reasonable prospect.
165. Woodside Park Station: 95 units: brownfield site: 5 year timeframe realistic: reasonable prospect.
200. Former Barnet Mortuary: 20 dwellings: site owned by developer but no consultation: No certainty of delivery for housing.
115. Land adjacent Northway and Fairway Primary School: 120 units: lapsed planning permission: No further assurances: reasons for lapsed consent uncertain: Beechwood Avenue reputation not a reliable indicator: no firm commitment.
156. Kingmaker House: 61 units: works commenced under prior approval and permission granted for rear extension: reasonable prospect.
162. Barnet House: 139 units: evidence of immediate application and previous prior approval of conversion of former Council premises: reasonable prospect.
181. Central House: 48 units: lapsed prior approval: uncertain reasons: no certainty of delivery.
34. Of the above, and adding Whalebones Park, 337 dwellings are considered not to show a reasonable prospect of delivery. Adding these to the 927 dwellings referred to in the previous paragraph 31 above indicates that 1264 units should be removed from the Council's figure of 14709 units (adjusted above for small sites, paragraph 30) resulting in a supply of 13445 units, equivalent to 93.8% of the requirement or about 4.7 years.
35. A degree of uncertainty always attaches to delivery from any development site. However, the difficulties associated with those sites highlighted above indicate that on the balance of probabilities, the Council has not provided clear evidence that there is a realistic prospect of sufficient completions occurring within 5 years in order to meet its 5YRHLS requirement. Its most recent record on completions does not inspire confidence. Whilst the 5YRHLS shortfall is not as serious as the appellant suggests, it remains significant. The appeal proposal represents a appreciable contribution which moreover provides affordable housing where the Council has a particular need.

## Other matters

36. A S106 UU has been provided with the objectives of providing various benefits including affordable housing and viability review, a Travel Plan, a car club, car free development with associated Traffic Management Order contribution, highway works, a carbon offset payment, measures to mitigate for any effects on TV reception and commitments to use reasonable endeavours to use local labour and suppliers. I consider that the provisions of the S106 are directly related to the proposed development, fairly and reasonably related in scale and kind, and would be necessary to make it acceptable. They meet the tests set out in Paragraph 57 of the NPPF and Regulation 122 of the CIL Regulations (2010). I conclude that the requirements of Regulation 123 and Planning Policy Guidance (PPG) have also been satisfied. Were I otherwise minded to allow the appeal, the S106 would attract significant weight.
37. The retail unit (Topps Tiles) on the corner of Christchurch Avenue and the High Road is a locally listed (non-statutory) building. The prominent position of this building on a corner indicates that its heritage significance would remain easily appreciated and would not be significantly affected by the appeal proposal.
38. I have had regard to the submissions regarding the effect on users of the mosque extension in terms of privacy and the impact in terms of character and appearance. Whilst the mosque extension would be lower and smaller in scale than block A of the proposal, it would remain architecturally distinctive because of its form and purpose. There would be no unacceptable effect on its character and the introduction of higher buildings in this part of the High Road would be appropriate. Windows in the flank wall of nearby blocks would mainly be to kitchens and secondary living room windows and would be far enough away from the mosque to avoid an unacceptable impact on privacy.

## Conclusion

39. Residential use would be entirely appropriate on this site lying close to a town centre. The gateway to the town centre would be appropriately marked along the High Road with a 6 storey block next to the new mosque extension. The element towards the end of Rosemont Avenue would relate positively to the street scene and would not be unacceptably out of scale in the area. The addition of 307 new dwellings would make a significant contribution to meeting housing need in Barnet including much needed affordable units<sup>3</sup> and this attracts very significant weight. The redevelopment for housing for a brownfield site that would enhance the viability and vitality of North Finchley also attracts weight, though benefit would also occur with a less dense scheme. The new housing would be reasonably well served by public transport and would be close to a town centre and local facilities. Limited weight also attaches to CIL payments, the New Homes Bonus and construction employment.
40. However, the design of the scheme under-estimates the sensitivity to change of the largely homogenous low/mid-rise urban terrace and suburban areas around it. In this respect the site is not comparable to the site referred to in the Tesco New Malden decision<sup>4</sup>. The overall degree of change would be medium/high but there would be very high impacts caused by, in particular, the 8 and 9 storey blocks seen from Rosemont Avenue and from Christchurch

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<sup>3</sup> 35% by habitable room

<sup>4</sup> APP/T5720/W/20/3250440

Avenue and other places. A high to moderate level of harm would result. The combination of barely acceptable distances between flats facing each other, the need for some privacy screens and obscured glazing, the internal corridors, the lack of effective natural cross-ventilation in many flats, the acknowledgement of appreciable detrimental effects on the amount of daylight and sunlight received by occupiers in Rosemont Avenue, and the poor quality of experience for those using the main shared pedestrian access through the site, all support the contention that the scheme is intended firstly to maximise dwelling capacity. Whilst that may often be an appropriate aim, it cannot be justified at the cost of an unacceptable level of harm to the character and appearance of the surrounding area, which would pertain for many years. National and local development plan policy at all levels emphasises the need to respond to a site's context and to respect local distinctiveness. At the Inquiry, it was suggested that the character of the surrounding residential streets had been taken into account as a constraint but the appellant failed to offer persuasive justification for the approach which led to the solution adopted. In particular, the identified potential for height took insufficient account of the 'sensitive residential adjacencies' at Rosemont Avenue and failed to address local concerns on density and height firmly expressed in consultation. The scheme fails overall to provide a form, scale and massing solution that would integrate successfully into its surroundings. Change is inevitable- but the tallest blocks in this scheme would be a step too far.

41. It has not been convincingly demonstrated that Barnet has a 5 year supply of housing land. Paragraph 11(d) of the NPPF says that when the policies which are most important for determining the application are out-of-date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole. The significant shortfall in affordable housing completions is also relevant to the overall planning balance. The Government has stated that the design quality of new development is too often mediocre and that systemic change is needed to ensure design and beauty is a core part of the planning process. The NDG and reforms to the NPPF further place emphasis on granting permission for well-designed buildings and refusing it for poor quality schemes. The NPPF advises that it is especially important that where there is a shortage of land, developments make efficient use of land and avoid homes being built at low densities, making optimal use of the potential for sites. It is also necessary to ensure that beautiful and sustainable places are created, and the NPPF notes the importance of area-based character assessments in pursuing this goal. The appeal proposal maximises the potential for densification and in doing so fails to respond appropriately to the Council's own character assessment or up-to-date guidance in the TCF and the TBSU. The detrimental effect on townscape character of the tallest blocks B, C and D would be so great as to significantly and demonstrably outweigh the benefits the scheme would bring.

42. For these reasons, the appeal must be dismissed.

*Paul Jackson*

INSPECTOR

## APPEARANCES

### FOR THE LOCAL PLANNING AUTHORITY:

Edward Grant

Of Counsel

He called

Phillip Hughes BA (Hons)  
MRTPI FRGS Dip Man MCMI

PHD Chartered Town Planners

Hardeep Ryatt BA (Hons)  
DipTP MRTPI

Principal Planning Officer

James Gummery BSc  
(Hons) MA MRTPI

Principal Planning Policy Officer

### FOR THE APPELLANT:

Douglas Edwards

Queens Counsel

He called

Simon Bacon BA (Hons)  
BArch

TP Bennett

Colin Pullan BA (Hons) DipUD

Lambert Smith Hampton

Jon Murch MATCP MRTPI

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Matthew Harris

Point2

### FOR THE FINCHLEY SOCIETY:

Jeffrey Borinsky

Mary Hogben

### INTERESTED PERSONS:

Cllr Ross Houston

Ward Councillor

Ruth Slavid

Local resident

Stephen Aleck

Local resident

Cllr Geoffrey Cooke

Adjoining Ward Councillor

### INQUIRY DOCUMENTS

- 1 Appeal Ref: APP/N5660/W/20/3248960- Woodlands Nursing Home
- 2 Appeal Ref: APP/T5720/W/20/3250440- New Malden
- 3 Agreed Table of Housing Land Supply sites version 3
- 4 TV reception impact assessment & Satellite signal shadow zones (CD9.6 & 9.6A)
- 5 Written reps from M Maleknia
- 6 Note on Urban Design Input dated 2 Oct 2020, provided by the appellant (CD7.6)
- 7 Written reps from S Uddin
- 8 Finchley Society response to CD 9.6 & 9.6A
- 9 Section drawings through Rosemont Avenue D6304 and D6306 with note
- 10 Comments from Simon Bacon on CD 7.6

- 11 'Site Layout planning for daylight and sunlight – a guide to good practice' (Second Edition, 2011)
- 12 Note on Victoria Park play space, provided by the Council

## Core Documents List

### 1. National Documents

- 1.1 NPPF
- 1.2 PPG
- 1.3 National Design Guide – October 2019
- 1.4 DCLG: Technical Housing Standards - Nationally Described Space Standard March 2015

### 2. GLA Documents

- 2.1 London Plan
- 2.2 GLA Guidance on Preparing Energy Assessments – 2018
- 2.3 London Environment Strategy – 2018
- 2.4 Mayor's Air Quality Strategy – 2010
- 2.5 Mayor's SPG - Housing 2016
- 2.6 Mayor's SPG – Sustainable Design and Construction 2014
- 2.7 Mayor's SPG – Character and Context 2014
- 2.8 Mayor's SPG – Affordable Housing and Viability 2017
- 2.9 Mayor's SPG – Play and Informal Recreation 2012
- 2.10 The 2017 London Strategic Housing Market Assessment

### 3. LB Barnet Documents

- 3.1 Lb Barnet Core Strategy 2012
- 3.2 Lb Barnet Development Management Policies
- 3.3 Lb Barnet Draft Local Plan (Reg 18) January 2018
- 3.4 North Finchley Town Centre Framework SPD, February 2018
- 3.5 Planning Obligations SPD, April 2013
- 3.6 Delivering Skills, Employment, Enterprise and Training from Development Through S106, SPD, October 2014
- 3.7 Sustainable Design and Construction, October 2016
- 3.8 Residential Design Guidance, October 2016
- 3.9 Tall Buildings Study of London Borough of Barnet, November 2010
- 3.10 Tall Buildings Update, December 2019
- 3.11 GLA: Character and Context SPG 2014
- 3.12 2010 Characterisation Study of London Borough of Barnet
- 3.12 ditto A
- 3.12 ditto B
- 3.12 ditto C
- 3.13 Barnet Draft Local Plan (Reg 19)

### 4. Other

- 4.1 West London Strategic Housing Market Assessment Report of Findings October 2018
- 4.2 Tesco New Malden Decision
- 4.3 North London Business Park Inspectors Report

4.4 Note on Urban Design Input

4.5 Matthew Harris BSc - Point 2 Surveyors Limited Qualifications and Experience

4.6 Supplementary Summary Note on Site Context and use of Alternative Daylight Targets

5. Appeal Documents

5.1 Appellant Statement of Case

5.2 Council Statement of Case

5.3 Finchley Society Statement of Case

5.4 Statement of Common Ground

Council Documents

5.5 Mr. P. Hughes Evidence

5.6 Mr. H Ryatt Evidence

5.6a Mr. H Ryatt Evidence Appendix

5.6b Mr. H Ryatt Evidence Appendix

5.6c Mr. H Ryatt Summary Evidence

5.7 Mr. J. Gummery 5 Year Land Supply POE

5.7a Mr. J Gummery Appendix A

5.7b Mr. J. Gummery Appendix B

5.7c Mr. J. Gummery Appendix C

5.7d Mr. J. Gummery Appendix I

5.8 Mr. J. Gummery Rebuttal 5 Year Land Supply

5.8a Mr. J Gummer Rebuttal 5 Year Land Supply

5.8b Mr. J. Gummery Appendix N

5.8c Mr. J. Gummery Appendix N

5.8c Call for Sites Form - Barnet House

5.8c Call for Sites Response Form - Whalebone Park 08.06.15

5.8c Finchley Church Tc Strategy 2012

5.8c Head of CD Estates Email

5.8c Hendon Hub Email

5.8c Housing & Growth Committee 14 June 2021 Northway - Fairway Proposed Approach to Site Disposal

5.8c Kingmaker House 19\_5403\_Ful Officer Report

5.8c TfL Cd Reps on Barnet Reg 18 Local Plan

5.8c West Hendon RMA Approvals

Finchley Society Documents

5.9 A-Q The Finchley Society Statement of Case:

Appellant Documents

5.10 Architectural Presentation

5.10a Architects Proof of Evidence

5.10b Appendices to Architects Proof of Evidence

5.11 TPB Architects Rebuttals

5.11a TPB Architects Rebuttal Appendices

5.12 Pullan 679 High Road North Finchley Poe

5.12a Pullan 679 High Road North Finchley Figures

5.13 Pullan 679 High Road North Finchley Summary

- 5.14 Pullan 679 High Road North Finchley Rebuttal Evidence
- 5.15 679 High Road Appellant Planning Proof of Evidence
- 5.15a 679 High Road Appellant Planning Evidence Appendix
- 5.15b Appendix 7 Appellant Planning Proof
- 5.16 679 High Road Appellant Summary Planning Proof
- 5.17 679 High Road Jon Murch Rebuttal Proof
- 5.17a 679 High Road Jon Murch Rebuttal Proof Appendices

## 6. Five Year Housing Supply Documents

- 6.1 Lb Barnet Five-Year Land Supply Summary Statement and Table 11th May 2021
- 6.2 Lb Barnet Housing Trajectory Spreadsheet
- 6.3 Authorities Monitoring Report 2018/19.
- 6.4 Agreed Table Of 5yrs Housing Sites
- Cd6.5

## 7. Consultation Responses

- 7.1 Planning Officers Report to Committee
- 7.2 Planning Officers Report to Committee Addendum
- 7.3 GLA Stage 1 Response
- 7.4 GLA Stage 2 Response
- 7.5 TFL Response Dated 28th October 2020
- 7.6 Lb Barnet Urban Design Comments 2nd October 2010
- 7.7 Letter from Historic England Dated 25th August 2020
- 7.8 Email from Lb Barnet's Affordable Housing Co-Ordinator Dated 26th October 2020

## 8. Core Application Documents

- 8.1 A-F Design and Access Statement, July 2020:
- 8.2 A-D Townscape and Visual Appraisal July 2020
- 8.3 Town Planning Statement, July 2020
- 8.4 July 2020 CGI Pack
- 8.5 Transport Assessment July 2020
- 8.6 A-D Daylight, Sunlight and Overshadowing Assessment July 2020
- 8.7 Built Heritage Statement July 2020
- 8.8 A Landscape Design and Access Statement July 2020
- 8.8 ditto B
- 8.9 Schedule of Accommodation
- 8.10 Statement of Community Involvement

## 9. Application Amendment Documents

- 9.1 A Updated Drawing Pack:
  - 9.1 B
  - 9.1 H
  - 9.1 N
  - 9.1 C
  - 9.1 I
  - 9.1 O
  - 9.1 D

- 9.1 J
- 9.1 P
- 9.1 E
- 9.1 K
- 9.1 Q
- 9.1 F
- 9.1 L
- 9.1 R
- 9.1 G
- 9.1 M
- 9.1 S
- 9.1 T
- Cd9.1u Note on Proposed Sections
- Cd9.1v E1244d6304
- Cd9.1w E1244d6306
- 9.2 CGI
- 9.3 Circular Economy Statement
- 9.4 Fire Statement for Planning Application
- 9.5 Wind Desktop Assessment
- Cd9.6 Television Reception Impact Assessment
- Cd9.6a Television Reception Impact Assessment Map
  
- 10. S106 Legal Agreement
  - 10.1 S106 CIL Compliance Statement
  - 10.2 Draft S106 Agreement
    - 10.2 A Location Plan
    - 10.2 B Car Club Plan
    - 10.2 C High Road Highway Work Options
    - 10.2 D Satellite Signal Shadow Zones