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Date: 9 September 2014

Dear Andrew Dismore

The London Borough of Barnet (West Hendon Regeneration Area) Compulsory Purchase Order No 1 2014

Re: This letter relates to the West Hendon Estate

Following my letter dated 28th July 2014, the Council has now had an opportunity to consider your objections and I have set out the Council's response to each heading of objection below.

The Council is keen to address your objection and resolve your concerns. Once you have had an opportunity to consider the responses below, we would be happy to arrange a meeting to discuss these concerns if you consider this would be helpful.

1. Objection: Existing residents should be the priority.

Response: The Council carried out a non statutory Ballot in 2002 to gauge the level of support amongst West Hendon residents towards the principle of regenerating the estate. 75% took part with 62.5% in favour. Since the test of opinion was undertaken LBB and its development partners have undertaken further consultation with residents at different stages of the design process for the previous scheme as well as the new master plan for the CPO Scheme. Consultations have been through various media such as residents meetings, exhibitions, newsletters and statutory consultation such as that undertaken during the planning process.

Further, formal consultation with residents was carried out as part of the consultation process for the hybrid planning application for the scheme. About 5000 letters were posted to residents as part of this process.

At the commencement of the project the Council and its development partners outlined a number of proposals to the residents, these were known as the 'pledge'. Since proposals were first made the scheme has varied considerably to reflect changing market conditions and estate occupation to ensure the regeneration remains deliverable. The Council and its development partners continue to ensure all secure tenants presently occupying the estate will be rehoused in the new properties delivered by the scheme in accordance with the original pledge and will have the opportunity to remain Council tenants or become Metropolitan tenants. Leaseholders and freeholders who live on the estate and who meet the eligibility criteria will have the

opportunity to buy a new build home under the West Hendon shared equity scheme. The Town and Country Planning Act 1990 (as amended) sets out the relevant statutory criteria with regard to Blight Notices. The Council does not consider that leaseholders on the West Hendon Estate meet the criteria required to qualify for statutory blight.

Non-secure tenant will be visited by officers from Barnet Homes Housing Options team to discuss their housing needs for the future with a view to assisting them where appropriate. The housing options officers will look at many aspects when assisting the non-secure residents for example where they work, if they have children where they go to school and any medical issues.

If private tenants are unable to find suitable alternative accommodation and it is three months or less before their vacant possession date then they have been asked to contact Barnet Homes to seek assistance.

Affordable housing units was considered at the time of the Planning Application and is covered in detail in the 23rd July 2013 Committee Report for planning application ref:H/01054/13. In summary the redevelopment of the site will deliver 25% affordable housing comprising a minimum 500 affordable units. Of this a minimum of 43% will be social rented units, enabling the re-housing of all secure tenants on site, with the remainder to be intermediate or shared equity accommodation.

The application complies with London Plan 3.12 in that it results in no-net loss in affordable housing floorspace. Although it does not meet the target set Local Plan Policies CS4 and DM10 which set a borough-wide target of 40% housing this is subject to affordability. An independently assessed viability review was undertaken by the Council in parallel to the planning process which supported the level of affordable housing proposed

2. **Objection:** The density is above that permitted in the London Plan and the proposed development does not meet the criteria in the Barnet Council Local Plan.

Response: This issue of density was considered at the time of the Planning Application and is covered in detail in the 23rd July 2013 Committee Report for planning application ref:H/01054/13 from page 46 onwards and the decision notice granting planning permission. It is acknowledged in the Committee Report that the proposed development does exceed the London Plan Density Matrix, however high density alone is not a reason for refusal of a planning application as it fails to consider the quality and design of a scheme which must be carefully considered when density calculations may give rise to concerns.

The following issues were considered to support the proposed density:

- The proposed block structure, with four landmark towers was supportable in urban design terms, providing a more integrated and legible environment compared to the existing. The resultant density was considered to be an important component within this. This is supported by the Barnet Local Plan Core Strategy policy CS5 and saved Barnet Unitary Development Plan policy C1a;
- Daylight/sunlight assessment undertaken as part of the Environmental Statement demonstrated that all units would have sufficient levels of light with limited over shadowing;
- The scheme includes a significant proportion of private, semi-private and public amenity space, together with improved linkages to surrounding parks and recreation

areas which were considered to be sufficient provision to support the proposed population;

- The scheme is located close to West Hendon station which would benefit in capacity terms from the current upgrade to Thameslink services.
- The level of development (2,000 units) complies with that proposed within the Core Strategy housing trajectory. The number of units was demonstrated to be a requirement in viability terms through the independent viability assessment.

The delivery of the Scheme will result in a better mix of tenure thereby ensuring a more balanced community, offering a choice of high quality homes, wider opportunities for home ownership and resulting in a sustainable, inclusive and mixed neighbourhood

With regard to the loss of York Park the only parcels of open space included within the Order Land lie to the north of the Cool Oak Bridge (specifically plot numbers 41a, 41b, 42, 43 and 43a). York Park is not included within the Order Land. Some parts of York Park falling outside the CPO and owned by the Council are within the proposed development and were appropriated to planning purposes by the Council on 12 September 2013. A Notice of intention to appropriate public open space under Section 122(2A) of the Local Government Act 1972 was placed on site and in the local press for a period of 2 weeks commencing 11th July 2013 requesting any representations by 25th July. No representations were received. The Council has also advertised its intention to dispose of the public open space (subject to Secretary of State's consent). Again, the council did not receive any representations. Therefore the Council has complied with its statutory duties in this regard. The existing open space land totals 19,866m², the current planning consent is for 26,428m² the current proposed scheme has increased the open space provision to a total area of 28,080m²

3. **Objection:** Lack of parking and impact on traffic congestion

Response: This issue was considered at the time of the Planning Application and is covered in detail in the 23rd July 2013 Committee Report for planning application ref:H/01054/13. In summary parking for the residential scheme is in line with London Plan and Barnet Car Parking Requirements. The level of commercial car parking is to be maintained at the level provided prior to the development of the Estate and falls within the London Plan requirements even with the marginal increase in commercial floorspace proposed.

With regard to transport the scheme includes removal of the existing Perryfield Way gyratory and widening of the A5. This will be achieved through junction improvements and removal of the existing bus lanes to facilitate two lanes of traffic in both directions. Traffic will also be removed from Herbert Road and other residential streets. A summary of the specific highway proposals is set out in the 23rd July 2013 Committee Report for planning application ref:H/01054/13.

4. **Objection:** Lack of additional local services, especially primary health care.

Response: The proposed scheme which received planning permission on 20 November 2013 will deliver over 2000 new homes, a new school and community facilities as well as a new pedestrian and cycle bridge adjacent to Cool Oak Bridge.

During the planning application process, the impact of the new development on the local area and environment, including transport, highways, medical, education and other local services were considered by undertaking various assessments including an Environmental Impact Assessment and Transport Assessment.

The Environmental Statement has demonstrated that existing capacity exists within surrounding GP services and the scheme will contribute to the wider community and health provision through its CIL contribution. This is explained further in the 23rd July 2013 Committee Report for planning application ref:H/01054/13 on page 81 under the heading Healthcare.

The scheme itself improves local services and infrastructure via the provision of a new school and community facilities, a new bridge, as well as new retail and commercial space. Through the usual planning obligation process, BMLLP will make appropriate contribution towards the provision of any additional local services required as a result of the new development.

Taking these matters into account, the Council is satisfied that there will be no negative impact on local transport, highways, medical, education and other local services.

5. **Objection:** Threat to SSSI and local wildlife

Response: This issue was considered at the time of the Planning Application and is covered in detail in the 23rd July 2013 Committee Report for planning application ref:H/01054/13 and decision notice granting planning permission. The Statement of Reasons states that the introduction of a green corridors between the Order Land, the SSSI and York Park will re-engage the local community with this natural environment, permit views of the SSSI from The Broadway and ensure that it remains a valued community asset. The proposed development was not considered to have a significant impact upon the value of the adjacent Welsh Harp SSSI. Dialogue with Natural England was undertaken throughout the planning application process and their concerns have been enshrined into planning conditions and the Section 106 agreement which now includes a contribution for an onsite warden. Natural England raised no objection to the proposed development subject to their required conditions and Planning Mitigation measures.

I hope the responses above have answered the queries and objections raised. If you have any further queries, or would like to discuss the matter further, please do not hesitate to contact Anna Morell on the telephone number above, who will be pleased to arrange a meeting.

Yours sincerely



Martin Cowie
Assistant Director
Strategic Planning & Regeneration