

London Borough of Barnet
Building 4, North London Business Park
Oakleigh Rd South,
London N11 1NP

Jasmin Parsons
62 Marsh Drive
West Hendon Estate
Barnet
London
NW9 7QF

Contact: Anna Morell
Tel: 020 8359 2387
e-mail: anna.morell@barnet.gov.uk
Date: 8 September 2014
Our Ref: 8.01

Dear Jasmin Parsons

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

Re: Objection to the Compulsory Purchase Order

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 if this is possible. Once you have had an opportunity to consider the responses below, we would be very happy to arrange a meeting to discuss these concerns if you think this would be helpful.

A. Existing dwellings are structurally sound and adequate. Proposed dwellings are plagued with problems

Response: The Estate properties are in a poor state of repair, provide sub-standard accommodation for residents and qualify as defective dwellings under the Housing Act 1985. Estimates undertaken by the Council suggest that upgrading the existing housing to Decent Homes Plus standards would require considerable investment and in any event, would still fail to address some of the inherent problems arising from the Estate as set out in the Statement of Reasons.

The Scheme proposes the construction of high quality sustainable homes built to Code for Sustainable Homes Level 4 energy and sustainability standards, comply with Lifetime Homes Standards, include wheelchair provision, and incorporate secure by Design Principles. All of which will represent a significant improvement to the overall quality of housing accommodation in the area. The development will also create a more attractive, vibrant and sustainable neighbourhood and a more balanced and inclusive community.

The existing low rise flats on the estate incorporate ramp access to all levels. Whilst the existing access will be maintained for any remaining occupied flats, these ramps fail to comply with modern design guidance. The Statement of Reasons describes the new accommodation, commenting that all residential units within the new

development have been designed in accordance with the London Housing Design Guide (LHDG) standards which outline minimum space standards for individual units, room sizes and amenity space provision. 10% of the overall residential unit provision has been designed to be wheelchair accessible or easily adaptable for wheelchair users, whilst all dwellings will comply with 'Lifetime Homes' standards.

Whilst there were some snagging works associated with the balconies on the new development, there are currently no problems or structural issues. As referred to in the Statement of Reasons, for over 30 years Barratt has been at the forefront of regeneration in London, building more than 27,000 homes. Barratt has a broad range of regeneration experience and is used to working collaboratively with partners from both the public and private sectors.

B. Displacement of local community/Lack of consultation (initial ballot) and breach of assurances made

Response: LBB initially sought feedback from local people on proposals by three developers before selecting a preferred partner. Following the selection of the preferred partner a test of opinion was taken which was referred to as a ballot. This exercise was non-statutory, being undertaken to determine the local opinion in regard to the principle of regeneration. Since the test of opinion was undertaken LBB and its development partners have undertaken further consultation including: residents meetings, exhibitions, newsletters and statutory consultation such as that undertaken during the planning process.

At the commencement of the project LBB 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. All secure tenants presently occupying the estate will be rehoused in the new properties delivered by the scheme in accordance with the original pledge. Likewise a shared equity scheme is also available to eligible long leaseholders to purchase a new property on the Estate.

C. Loss of York Memorial Park/No real open space arising from the development)

Response: York Park existed prior to 1939 ('York Park' is shown on the 1914 O.S map and the reference to the name 'York Park' appears in the 1930's O.S plan) and based on the information that the Council has considered there is no evidence to confirm that the park was created as a memorial to the Second World War. The 1951 and 1955 O.S. plans show that a hole left by a bomb fell to the north of York Park within an area which appears to be outside the Order Land, beneath Marsh Drive and the 3 bedroom houses adjoined to Marriotts Close.

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

D. 2005 Committee report and PDA

Response: In May 2003 it was reported to Cabinet that Lovell withdrew from the partnership with Metropolitan Housing. In 2005 members accepted the appointment of Barratt Homes Ltd

The original development programme was forecasted over a period of 12 years. To date, a total of 194 units have been delivered as part of the Pilot and Lakeside development. The Master Plan for the estate was recently revised to ensure the scheme remained financially viable to deliver. Planning permission for the revised scheme was obtained in November 2013 and in January 2014 the Council's development partner, BMLLP, started construction of phase 3a of the scheme which will deliver 71 affordable units. The Council is currently looking at a period of accelerated growth and how future phases can come forward to deliver the scheme earlier.

E. Access refused to PDA

Response: The PDA underpins the terms on which the Council and its development partners will deliver the regeneration of the West Hendon Estate and wider area and it contains commercially sensitive information relating to the financial or business affairs of the Council's development partners. Consequently, it is considered to be exempt information under Schedule 12A of the Local Government Act 1972.

F. Temporary tenants

Response: 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. Residents will be given as much notice as possible of when their tenancy is expected to be terminated.

G. Loss of light

Response: The Council notes the concern raised regarding the effect of the proposed development on the resident's right to light. In designing the scheme,

BMLLP and their professional team have had regard to this impact. The Council's Planning Committee when considering the planning application which was approved on 20 November 2013 fully took into account the impact of the scheme on the existing properties, including the impact on light and were satisfied that the impact on light to the retained properties has been minimised and is proportionate and reasonable in relation to the wider benefits of the proposed scheme

H. Community and Health facilities

Response: 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. 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, the Council's development partner, 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.

I. Inability to understand/Inaccuracies in Statement of Reasons

Response: The Statement of Reasons contains a list of people who can be contacted for clarification or explanation of the content of the document or any queries or issues relating to the CPO. CPO surgeries were also held on the estate where all partners attended so that residents could ask any questions that they had.

We are not aware of any inaccuracies in the Statement of Reasons.

J. Density/ Height of Tower Block

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. 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 the 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

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“One of the successes of the design approach is that the four towers, while prominent and distinctive, are not treated as separate from this pattern but as part of it. The overall effect is of local variety and visual incident set within strongly controlled overall coherence”.

The Height of the towers was not considered to represent a significant risk to the environmental qualities of the Welsh Harp SSSI.

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Response: Section 9 of the Acquiring Authority’s Statement of Reasons explains that in making the Order the Council has had regard to Article 1 of the First Protocol of the Convention and Article 8 of the Convention, both of which permit the interference with the right to peaceful enjoyment of possessions and the right to respect for private and family life etc where that interference is in accordance with the law and is in the public interest.

In accordance with the law

The compulsory purchase process is governed by statute and the Council has made the Order under the relevant statutory provisions. If the Order is confirmed by the Secretary of State, those whose interests are compulsorily acquired will be entitled to statutory compensation payments.

Interference in the public interest

The residential homes in the West Hendon Estate qualify as defective dwellings under the Housing Act 1985 and do not meet Decent Homes Plus standards. As stated at paragraph 3.5 of the Statement of Reasons, refurbishing the Estate to Decent Homes Plus standards would require considerable financial investment and would still fail to address some of the inherent problems arising from the Estate.

The Council is of the view that there is a compelling case in the public interest to ensure that current and future residents of the Estate are afforded sustainable homes which meet Decent Homes standards and the comprehensive regeneration of the Estate and the wider area will afford the Council the opportunity to do so. The Council, therefore, believes that it has struck a fair and proportionate balance between the interests of those whose Convention rights will be affected and the community as a whole.

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Yours sincerely



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M Antunes
63 Warner Close
West Hendon
NW9 7QN

Contact: Anna Morell
Tel: 020 8359 2387
e-mail: anna.morell@barnet.gov.uk
Date: 8 September 2014
Our Ref: 8.02

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Mariam Abdulrahman
69 Tyrell Way
West Hendon
NW9 7QP

Contact: Anna Morell
Tel: 020 8359 2387
e-mail: anna.morell@barnet.gov.uk
Date: 8 September 2014
Our Ref: 8.03

Dear Mariam Abdulrahman

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Re: Objection to the Compulsory Purchase Order

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- 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

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“One of the successes of the design approach is that the four towers, while prominent and distinctive, are not treated as separate from this pattern but as part of it. The overall effect is of local variety and visual incident set within strongly controlled overall coherence”.

The Height of the towers was not considered to represent a significant risk to the environmental qualities of the Welsh Harp SSSI.

K. Human Rights

Response: Section 9 of the Acquiring Authority’s Statement of Reasons explains that in making the Order the Council has had regard to Article 1 of the First Protocol of the Convention and Article 8 of the Convention, both of which permit the interference with the right to peaceful enjoyment of possessions and the right to respect for private and family life etc where that interference is in accordance with the law and is in the public interest.

In accordance with the law

The compulsory purchase process is governed by statute and the Council has made the Order under the relevant statutory provisions. If the Order is confirmed by the Secretary of State, those whose interests are compulsorily acquired will be entitled to statutory compensation payments.

Interference in the public interest

The residential homes in the West Hendon Estate qualify as defective dwellings under the Housing Act 1985 and do not meet Decent Homes Plus standards. As stated at paragraph 3.5 of the Statement of Reasons, refurbishing the Estate to Decent Homes Plus standards would require considerable financial investment and would still fail to address some of the inherent problems arising from the Estate.

The Council is of the view that there is a compelling case in the public interest to ensure that current and future residents of the Estate are afforded sustainable homes which meet Decent Homes standards and the comprehensive regeneration of the Estate and the wider area will afford the Council the opportunity to do so. The Council, therefore, believes that it has struck a fair and proportionate balance between the interests of those whose Convention rights will be affected and the community as a whole.

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

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Building 4, North London Business Park
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London N11 1NP

Antony Greenwood
39 Franklin House
West Hendon
NW9

Contact: Anna Morell
Tel: 020 8359 2387
e-mail: anna.morell@barnet.gov.uk
Date: 8 September 2014
Our Ref: 8.04

Dear Antony Greenwood

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

Re: Objection to the Compulsory Purchase Order

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 if this is possible. Once you have had an opportunity to consider the responses below, we would be very happy to arrange a meeting to discuss these concerns if you think this would be helpful.

A. Existing dwellings are structurally sound and adequate. Proposed dwellings are plagued with problems

Response: The Estate properties are in a poor state of repair, provide sub-standard accommodation for residents and qualify as defective dwellings under the Housing Act 1985. Estimates undertaken by the Council suggest that upgrading the existing housing to Decent Homes Plus standards would require considerable investment and in any event, would still fail to address some of the inherent problems arising from the Estate as set out in the Statement of Reasons.

The Scheme proposes the construction of high quality sustainable homes built to Code for Sustainable Homes Level 4 energy and sustainability standards, comply with Lifetime Homes Standards, include wheelchair provision, and incorporate secure by Design Principles. All of which will represent a significant improvement to the overall quality of housing accommodation in the area. The development will also create a more attractive, vibrant and sustainable neighbourhood and a more balanced and inclusive community.

The existing low rise flats on the estate incorporate ramp access to all levels. Whilst the existing access will be maintained for any remaining occupied flats, these ramps fail to comply with modern design guidance. The Statement of Reasons describes the new accommodation, commenting that all residential units within the new

development have been designed in accordance with the London Housing Design Guide (LHDG) standards which outline minimum space standards for individual units, room sizes and amenity space provision. 10% of the overall residential unit provision has been designed to be wheelchair accessible or easily adaptable for wheelchair users, whilst all dwellings will comply with 'Lifetime Homes' standards.

Whilst there were some snagging works associated with the balconies on the new development, there are currently no problems or structural issues. As referred to in the Statement of Reasons, for over 30 years Barratt has been at the forefront of regeneration in London, building more than 27,000 homes. Barratt has a broad range of regeneration experience and is used to working collaboratively with partners from both the public and private sectors.

B. Displacement of local community/Lack of consultation (initial ballot) and breach of assurances made

Response: LBB initially sought feedback from local people on proposals by three developers before selecting a preferred partner. Following the selection of the preferred partner a test of opinion was taken which was referred to as a ballot. This exercise was non-statutory, being undertaken to determine the local opinion in regard to the principle of regeneration. Since the test of opinion was undertaken LBB and its development partners have undertaken further consultation including: residents meetings, exhibitions, newsletters and statutory consultation such as that undertaken during the planning process.

At the commencement of the project LBB 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. All secure tenants presently occupying the estate will be rehoused in the new properties delivered by the scheme in accordance with the original pledge. Likewise a shared equity scheme is also available to eligible long leaseholders to purchase a new property on the Estate.

C. Loss of York Memorial Park/No real open space arising from the development)

Response: York Park existed prior to 1939 ('York Park' is shown on the 1914 O.S map and the reference to the name 'York Park' appears in the 1930's O.S plan) and based on the information that the Council has considered there is no evidence to confirm that the park was created as a memorial to the Second World War. The 1951 and 1955 O.S. plans show that a hole left by a bomb fell to the north of York Park within an area which appears to be outside the Order Land, beneath Marsh Drive and the 3 bedroom houses adjoined to Marriotts Close.

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

D. 2005 Committee report and PDA

Response: In May 2003 it was reported to Cabinet that Lovell withdrew from the partnership with Metropolitan Housing. In 2005 members accepted the appointment of Barratt Homes Ltd

The original development programme was forecasted over a period of 12 years. To date, a total of 194 units have been delivered as part of the Pilot and Lakeside development. The Master Plan for the estate was recently revised to ensure the scheme remained financially viable to deliver. Planning permission for the revised scheme was obtained in November 2013 and in January 2014 the Council's development partner, BMLLP, started construction of phase 3a of the scheme which will deliver 71 affordable units. The Council is currently looking at a period of accelerated growth and how future phases can come forward to deliver the scheme earlier.

E. Access refused to PDA

Response: The PDA underpins the terms on which the Council and its development partners will deliver the regeneration of the West Hendon Estate and wider area and it contains commercially sensitive information relating to the financial or business affairs of the Council's development partners. Consequently, it is considered to be exempt information under Schedule 12A of the Local Government Act 1972.

F. Temporary tenants

Response: 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. Residents will be given as much notice as possible of when their tenancy is expected to be terminated.

G. Loss of light

Response: The Council notes the concern raised regarding the effect of the proposed development on the resident's right to light. In designing the scheme,

BMLLP and their professional team have had regard to this impact. The Council's Planning Committee when considering the planning application which was approved on 20 November 2013 fully took into account the impact of the scheme on the existing properties, including the impact on light and were satisfied that the impact on light to the retained properties has been minimised and is proportionate and reasonable in relation to the wider benefits of the proposed scheme

H. Community and Health facilities

Response: 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. 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, the Council's development partner, 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.

I. Inability to understand/Inaccuracies in Statement of Reasons

Response: The Statement of Reasons contains a list of people who can be contacted for clarification or explanation of the content of the document or any queries or issues relating to the CPO. CPO surgeries were also held on the estate where all partners attended so that residents could ask any questions that they had.

We are not aware of any inaccuracies in the Statement of Reasons.

J. Density/ Height of Tower Block

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. 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 the 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.
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K. Human Rights

Response: Section 9 of the Acquiring Authority’s Statement of Reasons explains that in making the Order the Council has had regard to Article 1 of the First Protocol of the Convention and Article 8 of the Convention, both of which permit the interference with the right to peaceful enjoyment of possessions and the right to respect for private and family life etc where that interference is in accordance with the law and is in the public interest.

In accordance with the law

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Yours sincerely



Martin Cowie
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Building 4, North London Business Park
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London N11 1NP

Derrick Chung
27 Marsh Drive
West Hendon
NW9

Contact: Anna Morell
Tel: 020 8359 2387
e-mail: anna.morell@barnet.gov.uk
Date: 8 September 2014
Our Ref: 8.05

Dear Derrick Chung

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

Re: Objection to the Compulsory Purchase Order

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 if this is possible. Once you have had an opportunity to consider the responses below, we would be very happy to arrange a meeting to discuss these concerns if you think this would be helpful.

A. Existing dwellings are structurally sound and adequate. Proposed dwellings are plagued with problems

Response: The Estate properties are in a poor state of repair, provide sub-standard accommodation for residents and qualify as defective dwellings under the Housing Act 1985. Estimates undertaken by the Council suggest that upgrading the existing housing to Decent Homes Plus standards would require considerable investment and in any event, would still fail to address some of the inherent problems arising from the Estate as set out in the Statement of Reasons.

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Yours sincerely



Martin Cowie
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Building 4, North London Business Park
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G Farnam
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West Hendon
NW9 7QW

Contact: Anna Morell
Tel: 020 8359 2387
e-mail: anna.morell@barnet.gov.uk
Date: 8 September 2014
Our Ref: 8.06

Dear G Farnam

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

Re: Objection to the Compulsory Purchase Order

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.

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Response: The PDA underpins the terms on which the Council and its development partners will deliver the regeneration of the West Hendon Estate and wider area and it contains commercially sensitive information relating to the financial or business affairs of the Council's development partners. Consequently, it is considered to be exempt information under Schedule 12A of the Local Government Act 1972.

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Response: 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. Residents will be given as much notice as possible of when their tenancy is expected to be terminated.

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Response: The Council notes the concern raised regarding the effect of the proposed development on the resident's right to light. In designing the scheme,

BMLLP and their professional team have had regard to this impact. The Council's Planning Committee when considering the planning application which was approved on 20 November 2013 fully took into account the impact of the scheme on the existing properties, including the impact on light and were satisfied that the impact on light to the retained properties has been minimised and is proportionate and reasonable in relation to the wider benefits of the proposed scheme

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Response: 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. 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, the Council's development partner, 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.

I. Inability to understand/Inaccuracies in Statement of Reasons

Response: The Statement of Reasons contains a list of people who can be contacted for clarification or explanation of the content of the document or any queries or issues relating to the CPO. CPO surgeries were also held on the estate where all partners attended so that residents could ask any questions that they had.

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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

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The Height of the towers was not considered to represent a significant risk to the environmental qualities of the Welsh Harp SSSI.

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Response: Section 9 of the Acquiring Authority’s Statement of Reasons explains that in making the Order the Council has had regard to Article 1 of the First Protocol of the Convention and Article 8 of the Convention, both of which permit the interference with the right to peaceful enjoyment of possessions and the right to respect for private and family life etc where that interference is in accordance with the law and is in the public interest.

In accordance with the law

The compulsory purchase process is governed by statute and the Council has made the Order under the relevant statutory provisions. If the Order is confirmed by the Secretary of State, those whose interests are compulsorily acquired will be entitled to statutory compensation payments.

Interference in the public interest

The residential homes in the West Hendon Estate qualify as defective dwellings under the Housing Act 1985 and do not meet Decent Homes Plus standards. As stated at paragraph 3.5 of the Statement of Reasons, refurbishing the Estate to Decent Homes Plus standards would require considerable financial investment and would still fail to address some of the inherent problems arising from the Estate.

The Council is of the view that there is a compelling case in the public interest to ensure that current and future residents of the Estate are afforded sustainable homes which meet Decent Homes standards and the comprehensive regeneration of the Estate and the wider area will afford the Council the opportunity to do so. The Council, therefore, believes that it has struck a fair and proportionate balance between the interests of those whose Convention rights will be affected and the community as a whole.

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
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Building 4, North London Business Park
Oakleigh Rd South,
London N11 1NP

Lubna Ahmad
38 Warner Close
West Hendon
NW9 7QN

Contact: Anna Morell
Tel: 020 8359 2387
e-mail: anna.morell@barnet.gov.uk
Date: 8 September 2014
Our Ref: 8.07

Dear Lubna Ahmad

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

Re: Objection to the Compulsory Purchase Order

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 if this is possible. Once you have had an opportunity to consider the responses below, we would be very happy to arrange a meeting to discuss these concerns if you think this would be helpful.

A. Existing dwellings are structurally sound and adequate. Proposed dwellings are plagued with problems

Response: The Estate properties are in a poor state of repair, provide sub-standard accommodation for residents and qualify as defective dwellings under the Housing Act 1985. Estimates undertaken by the Council suggest that upgrading the existing housing to Decent Homes Plus standards would require considerable investment and in any event, would still fail to address some of the inherent problems arising from the Estate as set out in the Statement of Reasons.

The Scheme proposes the construction of high quality sustainable homes built to Code for Sustainable Homes Level 4 energy and sustainability standards, comply with Lifetime Homes Standards, include wheelchair provision, and incorporate secure by Design Principles. All of which will represent a significant improvement to the overall quality of housing accommodation in the area. The development will also create a more attractive, vibrant and sustainable neighbourhood and a more balanced and inclusive community.

The existing low rise flats on the estate incorporate ramp access to all levels. Whilst the existing access will be maintained for any remaining occupied flats, these ramps fail to comply with modern design guidance. The Statement of Reasons describes the new accommodation, commenting that all residential units within the new

development have been designed in accordance with the London Housing Design Guide (LHDG) standards which outline minimum space standards for individual units, room sizes and amenity space provision. 10% of the overall residential unit provision has been designed to be wheelchair accessible or easily adaptable for wheelchair users, whilst all dwellings will comply with 'Lifetime Homes' standards.

Whilst there were some snagging works associated with the balconies on the new development, there are currently no problems or structural issues. As referred to in the Statement of Reasons, for over 30 years Barratt has been at the forefront of regeneration in London, building more than 27,000 homes. Barratt has a broad range of regeneration experience and is used to working collaboratively with partners from both the public and private sectors.

B. Displacement of local community/Lack of consultation (initial ballot) and breach of assurances made

Response: LBB initially sought feedback from local people on proposals by three developers before selecting a preferred partner. Following the selection of the preferred partner a test of opinion was taken which was referred to as a ballot. This exercise was non-statutory, being undertaken to determine the local opinion in regard to the principle of regeneration. Since the test of opinion was undertaken LBB and its development partners have undertaken further consultation including: residents meetings, exhibitions, newsletters and statutory consultation such as that undertaken during the planning process.

At the commencement of the project LBB 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. All secure tenants presently occupying the estate will be rehoused in the new properties delivered by the scheme in accordance with the original pledge. Likewise a shared equity scheme is also available to eligible long leaseholders to purchase a new property on the Estate.

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Response: York Park existed prior to 1939 ('York Park' is shown on the 1914 O.S map and the reference to the name 'York Park' appears in the 1930's O.S plan) and based on the information that the Council has considered there is no evidence to confirm that the park was created as a memorial to the Second World War. The 1951 and 1955 O.S. plans show that a hole left by a bomb fell to the north of York Park within an area which appears to be outside the Order Land, beneath Marsh Drive and the 3 bedroom houses adjoined to Marriotts Close.

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).

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Emma Davies
40 Warner Close
West Hendon
NW9 7QN

Contact: Anna Morell
Tel: 020 8359 2387
e-mail: anna.morell@barnet.gov.uk
Date: 8 September 2014
Our Ref: 8.08

Dear Emma Davies

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

Re: Objection to the Compulsory Purchase Order

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.

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Kola Okoko
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West Hendon
NW9 7QH

Contact: Anna Morell
Tel: 020 8359 2387
e-mail: anna.morell@barnet.gov.uk
Date: 8 September 2014
Our Ref: 8.09

Dear Kola Okoko

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

Re: Objection to the Compulsory Purchase Order

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.

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- 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

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In accordance with the law

The compulsory purchase process is governed by statute and the Council has made the Order under the relevant statutory provisions. If the Order is confirmed by the Secretary of State, those whose interests are compulsorily acquired will be entitled to statutory compensation payments.

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The Council is of the view that there is a compelling case in the public interest to ensure that current and future residents of the Estate are afforded sustainable homes which meet Decent Homes standards and the comprehensive regeneration of the Estate and the wider area will afford the Council the opportunity to do so. The Council, therefore, believes that it has struck a fair and proportionate balance between the interests of those whose Convention rights will be affected and the community as a whole.

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Yours sincerely



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Regeneration

London Borough of Barnet
Building 4, North London Business Park
Oakleigh Rd South,
London N11 1NP

Sam Thorpe
61 Warner Close
West Hendon
NW9

Contact: Anna Morell
Tel: 020 8359 2387
e-mail: anna.morell@barnet.gov.uk
Date: 8 September 2014
Our Ref: 8.10

Dear Sam Thorpe

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

Re: Objection to the Compulsory Purchase Order

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 if this is possible. Once you have had an opportunity to consider the responses below, we would be very happy to arrange a meeting to discuss these concerns if you think this would be helpful.

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The Scheme proposes the construction of high quality sustainable homes built to Code for Sustainable Homes Level 4 energy and sustainability standards, comply with Lifetime Homes Standards, include wheelchair provision, and incorporate secure by Design Principles. All of which will represent a significant improvement to the overall quality of housing accommodation in the area. The development will also create a more attractive, vibrant and sustainable neighbourhood and a more balanced and inclusive community.

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Sean Woolcombe
61 Warner Close
West Hendon
NW9 7QN

Contact: Anna Morell
Tel: 020 8359 2387
e-mail: anna.morell@barnet.gov.uk
Date: 8 September 2014
Our Ref: 8.11

Dear Sean Woolcombe

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Re: Objection to the Compulsory Purchase Order

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The compulsory purchase process is governed by statute and the Council has made the Order under the relevant statutory provisions. If the Order is confirmed by the Secretary of State, those whose interests are compulsorily acquired will be entitled to statutory compensation payments.

Interference in the public interest

The residential homes in the West Hendon Estate qualify as defective dwellings under the Housing Act 1985 and do not meet Decent Homes Plus standards. As stated at paragraph 3.5 of the Statement of Reasons, refurbishing the Estate to Decent Homes Plus standards would require considerable financial investment and would still fail to address some of the inherent problems arising from the Estate.

The Council is of the view that there is a compelling case in the public interest to ensure that current and future residents of the Estate are afforded sustainable homes which meet Decent Homes standards and the comprehensive regeneration of the Estate and the wider area will afford the Council the opportunity to do so. The Council, therefore, believes that it has struck a fair and proportionate balance between the interests of those whose Convention rights will be affected and the community as a whole.

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
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Building 4, North London Business Park
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Teresa Borges
69 Tyrell Way
West Hendon
NW9 7QP

Contact: Anna Morell
Tel: 020 8359 2387
e-mail: anna.morell@barnet.gov.uk
Date: 8 September 2014
Our Ref: 8.12

Dear Teresa Borges

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

Re: Objection to the Compulsory Purchase Order

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 if this is possible. Once you have had an opportunity to consider the responses below, we would be very happy to arrange a meeting to discuss these concerns if you think this would be helpful.

A. Existing dwellings are structurally sound and adequate. Proposed dwellings are plagued with problems

Response: The Estate properties are in a poor state of repair, provide sub-standard accommodation for residents and qualify as defective dwellings under the Housing Act 1985. Estimates undertaken by the Council suggest that upgrading the existing housing to Decent Homes Plus standards would require considerable investment and in any event, would still fail to address some of the inherent problems arising from the Estate as set out in the Statement of Reasons.

The Scheme proposes the construction of high quality sustainable homes built to Code for Sustainable Homes Level 4 energy and sustainability standards, comply with Lifetime Homes Standards, include wheelchair provision, and incorporate secure by Design Principles. All of which will represent a significant improvement to the overall quality of housing accommodation in the area. The development will also create a more attractive, vibrant and sustainable neighbourhood and a more balanced and inclusive community.

The existing low rise flats on the estate incorporate ramp access to all levels. Whilst the existing access will be maintained for any remaining occupied flats, these ramps fail to comply with modern design guidance. The Statement of Reasons describes the new accommodation, commenting that all residential units within the new

development have been designed in accordance with the London Housing Design Guide (LHDG) standards which outline minimum space standards for individual units, room sizes and amenity space provision. 10% of the overall residential unit provision has been designed to be wheelchair accessible or easily adaptable for wheelchair users, whilst all dwellings will comply with 'Lifetime Homes' standards.

Whilst there were some snagging works associated with the balconies on the new development, there are currently no problems or structural issues. As referred to in the Statement of Reasons, for over 30 years Barratt has been at the forefront of regeneration in London, building more than 27,000 homes. Barratt has a broad range of regeneration experience and is used to working collaboratively with partners from both the public and private sectors.

B. Displacement of local community/Lack of consultation (initial ballot) and breach of assurances made

Response: LBB initially sought feedback from local people on proposals by three developers before selecting a preferred partner. Following the selection of the preferred partner a test of opinion was taken which was referred to as a ballot. This exercise was non-statutory, being undertaken to determine the local opinion in regard to the principle of regeneration. Since the test of opinion was undertaken LBB and its development partners have undertaken further consultation including: residents meetings, exhibitions, newsletters and statutory consultation such as that undertaken during the planning process.

At the commencement of the project LBB 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. All secure tenants presently occupying the estate will be rehoused in the new properties delivered by the scheme in accordance with the original pledge. Likewise a shared equity scheme is also available to eligible long leaseholders to purchase a new property on the Estate.

C. Loss of York Memorial Park/No real open space arising from the development)

Response: York Park existed prior to 1939 ('York Park' is shown on the 1914 O.S map and the reference to the name 'York Park' appears in the 1930's O.S plan) and based on the information that the Council has considered there is no evidence to confirm that the park was created as a memorial to the Second World War. The 1951 and 1955 O.S. plans show that a hole left by a bomb fell to the north of York Park within an area which appears to be outside the Order Land, beneath Marsh Drive and the 3 bedroom houses adjoined to Marriotts Close.

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

D. 2005 Committee report and PDA

Response: In May 2003 it was reported to Cabinet that Lovell withdrew from the partnership with Metropolitan Housing. In 2005 members accepted the appointment of Barratt Homes Ltd

The original development programme was forecasted over a period of 12 years. To date, a total of 194 units have been delivered as part of the Pilot and Lakeside development. The Master Plan for the estate was recently revised to ensure the scheme remained financially viable to deliver. Planning permission for the revised scheme was obtained in November 2013 and in January 2014 the Council's development partner, BMLLP, started construction of phase 3a of the scheme which will deliver 71 affordable units. The Council is currently looking at a period of accelerated growth and how future phases can come forward to deliver the scheme earlier.

E. Access refused to PDA

Response: The PDA underpins the terms on which the Council and its development partners will deliver the regeneration of the West Hendon Estate and wider area and it contains commercially sensitive information relating to the financial or business affairs of the Council's development partners. Consequently, it is considered to be exempt information under Schedule 12A of the Local Government Act 1972.

F. Temporary tenants

Response: 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. Residents will be given as much notice as possible of when their tenancy is expected to be terminated.

G. Loss of light

Response: The Council notes the concern raised regarding the effect of the proposed development on the resident's right to light. In designing the scheme,

BMLLP and their professional team have had regard to this impact. The Council's Planning Committee when considering the planning application which was approved on 20 November 2013 fully took into account the impact of the scheme on the existing properties, including the impact on light and were satisfied that the impact on light to the retained properties has been minimised and is proportionate and reasonable in relation to the wider benefits of the proposed scheme

H. Community and Health facilities

Response: 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. 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, the Council's development partner, 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.

I. Inability to understand/Inaccuracies in Statement of Reasons

Response: The Statement of Reasons contains a list of people who can be contacted for clarification or explanation of the content of the document or any queries or issues relating to the CPO. CPO surgeries were also held on the estate where all partners attended so that residents could ask any questions that they had.

We are not aware of any inaccuracies in the Statement of Reasons.

J. Density/ Height of Tower Block

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. 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 the 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 height of blocks 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 iterative design process involved a range of stakeholders, and high quality of architectural quality was controlled through the parameters and design codes, it was considered that the scale and massing principles proposed for the development were acceptable. The scheme is considered to be of high quality in terms of urban design and is considered to be compliant with policies set out in the Local Plan and London Plan. An independent assessment of the tall buildings was commissioned by the applicant to provide a peer review of the development. Peter Stewart is a registered architect. (Ex-Director of the design review programme at CABI from 1999 to 2005), concluded:

“One of the successes of the design approach is that the four towers, while prominent and distinctive, are not treated as separate from this pattern but as part of it. The overall effect is of local variety and visual incident set within strongly controlled overall coherence”.

The Height of the towers was not considered to represent a significant risk to the environmental qualities of the Welsh Harp SSSI.

K. Human Rights

Response: Section 9 of the Acquiring Authority’s Statement of Reasons explains that in making the Order the Council has had regard to Article 1 of the First Protocol of the Convention and Article 8 of the Convention, both of which permit the interference with the right to peaceful enjoyment of possessions and the right to respect for private and family life etc where that interference is in accordance with the law and is in the public interest.

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Yours sincerely



Martin Cowie
Assistant Director
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London N11 1NP

Andrea Brewster
70 Marriotts Close
West Hendon
NW9 7QD

Contact: Anna Morell
Tel: 020 8359 2387
e-mail: anna.morell@barnet.gov.uk
Date: 8 September 2014
Our Ref: 8.13

Dear Andrea Brewster

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

Re: Objection to the Compulsory Purchase Order

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 if this is possible. Once you have had an opportunity to consider the responses below, we would be very happy to arrange a meeting to discuss these concerns if you think this would be helpful.

A. Existing dwellings are structurally sound and adequate. Proposed dwellings are plagued with problems

Response: The Estate properties are in a poor state of repair, provide sub-standard accommodation for residents and qualify as defective dwellings under the Housing Act 1985. Estimates undertaken by the Council suggest that upgrading the existing housing to Decent Homes Plus standards would require considerable investment and in any event, would still fail to address some of the inherent problems arising from the Estate as set out in the Statement of Reasons.

The Scheme proposes the construction of high quality sustainable homes built to Code for Sustainable Homes Level 4 energy and sustainability standards, comply with Lifetime Homes Standards, include wheelchair provision, and incorporate secure by Design Principles. All of which will represent a significant improvement to the overall quality of housing accommodation in the area. The development will also create a more attractive, vibrant and sustainable neighbourhood and a more balanced and inclusive community.

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BMLLP and their professional team have had regard to this impact. The Council's Planning Committee when considering the planning application which was approved on 20 November 2013 fully took into account the impact of the scheme on the existing properties, including the impact on light and were satisfied that the impact on light to the retained properties has been minimised and is proportionate and reasonable in relation to the wider benefits of the proposed scheme

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Yours sincerely



Martin Cowie
Assistant Director
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London Borough of Barnet
Building 4, North London Business Park
Oakleigh Rd South,
London N11 1NP

Patrick James Fenlon
Flat 44
Franklin House
NW9 7QA

Contact: Anna Morell
Tel: 020 8359 2387
e-mail: anna.morell@barnet.gov.uk
Date: 8 September 2014
Our Ref: 8.14

Dear Patrick James Fenlon

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

Re: Objection to the Compulsory Purchase Order

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 if this is possible. Once you have had an opportunity to consider the responses below, we would be very happy to arrange a meeting to discuss these concerns if you think this would be helpful.

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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.

I. Inability to understand/Inaccuracies in Statement of Reasons

Response: The Statement of Reasons contains a list of people who can be contacted for clarification or explanation of the content of the document or any queries or issues relating to the CPO. CPO surgeries were also held on the estate where all partners attended so that residents could ask any questions that they had.

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- 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

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Response: Section 9 of the Acquiring Authority’s Statement of Reasons explains that in making the Order the Council has had regard to Article 1 of the First Protocol of the Convention and Article 8 of the Convention, both of which permit the interference with the right to peaceful enjoyment of possessions and the right to respect for private and family life etc where that interference is in accordance with the law and is in the public interest.

In accordance with the law

The compulsory purchase process is governed by statute and the Council has made the Order under the relevant statutory provisions. If the Order is confirmed by the Secretary of State, those whose interests are compulsorily acquired will be entitled to statutory compensation payments.

Interference in the public interest

The residential homes in the West Hendon Estate qualify as defective dwellings under the Housing Act 1985 and do not meet Decent Homes Plus standards. As stated at paragraph 3.5 of the Statement of Reasons, refurbishing the Estate to Decent Homes Plus standards would require considerable financial investment and would still fail to address some of the inherent problems arising from the Estate.

The Council is of the view that there is a compelling case in the public interest to ensure that current and future residents of the Estate are afforded sustainable homes which meet Decent Homes standards and the comprehensive regeneration of the Estate and the wider area will afford the Council the opportunity to do so. The Council, therefore, believes that it has struck a fair and proportionate balance between the interests of those whose Convention rights will be affected and the community as a whole.

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

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London Borough of Barnet
Building 4, North London Business Park
Oakleigh Rd South,
London N11 1NP

Colin Cooley
18 Skylark Court
Sheerwater Drive
NW9 7AH

Contact: Anna Morell
Tel: 020 8359 2387
e-mail: anna.morell@barnet.gov.uk
Date: 8 September 2014
Our Ref: 8.15

Dear Colin Cooley

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

Re: Objection to the Compulsory Purchase Order

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 if this is possible. Once you have had an opportunity to consider the responses below, we would be very happy to arrange a meeting to discuss these concerns if you think this would be helpful.

A. Existing dwellings are structurally sound and adequate. Proposed dwellings are plagued with problems

Response: The Estate properties are in a poor state of repair, provide sub-standard accommodation for residents and qualify as defective dwellings under the Housing Act 1985. Estimates undertaken by the Council suggest that upgrading the existing housing to Decent Homes Plus standards would require considerable investment and in any event, would still fail to address some of the inherent problems arising from the Estate as set out in the Statement of Reasons.

The Scheme proposes the construction of high quality sustainable homes built to Code for Sustainable Homes Level 4 energy and sustainability standards, comply with Lifetime Homes Standards, include wheelchair provision, and incorporate secure by Design Principles. All of which will represent a significant improvement to the overall quality of housing accommodation in the area. The development will also create a more attractive, vibrant and sustainable neighbourhood and a more balanced and inclusive community.

The existing low rise flats on the estate incorporate ramp access to all levels. Whilst the existing access will be maintained for any remaining occupied flats, these ramps fail to comply with modern design guidance. The Statement of Reasons describes the new accommodation, commenting that all residential units within the new

development have been designed in accordance with the London Housing Design Guide (LHDG) standards which outline minimum space standards for individual units, room sizes and amenity space provision. 10% of the overall residential unit provision has been designed to be wheelchair accessible or easily adaptable for wheelchair users, whilst all dwellings will comply with 'Lifetime Homes' standards.

Whilst there were some snagging works associated with the balconies on the new development, there are currently no problems or structural issues. As referred to in the Statement of Reasons, for over 30 years Barratt has been at the forefront of regeneration in London, building more than 27,000 homes. Barratt has a broad range of regeneration experience and is used to working collaboratively with partners from both the public and private sectors.

B. Displacement of local community/Lack of consultation (initial ballot) and breach of assurances made

Response: LBB initially sought feedback from local people on proposals by three developers before selecting a preferred partner. Following the selection of the preferred partner a test of opinion was taken which was referred to as a ballot. This exercise was non-statutory, being undertaken to determine the local opinion in regard to the principle of regeneration. Since the test of opinion was undertaken LBB and its development partners have undertaken further consultation including: residents meetings, exhibitions, newsletters and statutory consultation such as that undertaken during the planning process.

At the commencement of the project LBB 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. All secure tenants presently occupying the estate will be rehoused in the new properties delivered by the scheme in accordance with the original pledge. Likewise a shared equity scheme is also available to eligible long leaseholders to purchase a new property on the Estate.

C. Loss of York Memorial Park/No real open space arising from the development)

Response: York Park existed prior to 1939 ('York Park' is shown on the 1914 O.S map and the reference to the name 'York Park' appears in the 1930's O.S plan) and based on the information that the Council has considered there is no evidence to confirm that the park was created as a memorial to the Second World War. The 1951 and 1955 O.S. plans show that a hole left by a bomb fell to the north of York Park within an area which appears to be outside the Order Land, beneath Marsh Drive and the 3 bedroom houses adjoined to Marriotts Close.

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).

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Response: The PDA underpins the terms on which the Council and its development partners will deliver the regeneration of the West Hendon Estate and wider area and it contains commercially sensitive information relating to the financial or business affairs of the Council's development partners. Consequently, it is considered to be exempt information under Schedule 12A of the Local Government Act 1972.

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Response: 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. Residents will be given as much notice as possible of when their tenancy is expected to be terminated.

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BMLLP and their professional team have had regard to this impact. The Council's Planning Committee when considering the planning application which was approved on 20 November 2013 fully took into account the impact of the scheme on the existing properties, including the impact on light and were satisfied that the impact on light to the retained properties has been minimised and is proportionate and reasonable in relation to the wider benefits of the proposed scheme

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Yours sincerely



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Building 4, North London Business Park
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London N11 1NP

Pauline Cooley
18 Skylark Court
Sheerwater Drive
NW9 7AH

Contact: Anna Morell
Tel: 020 8359 2387
e-mail: anna.morell@barnet.gov.uk
Date: 8 September 2014
Our Ref: 8.16

Dear Pauline Cooley

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

Re: Objection to the Compulsory Purchase Order

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 if this is possible. Once you have had an opportunity to consider the responses below, we would be very happy to arrange a meeting to discuss these concerns if you think this would be helpful.

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Fernanda Udo-Affia
79 Marriotts Close
West Hendon
NW9

Contact: Anna Morell
Tel: 020 8359 2387
e-mail: anna.morell@barnet.gov.uk
Date: 8 September 2014
Our Ref: 8.17

Dear Fernanda Udo-Affia

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Re: Objection to the Compulsory Purchase Order

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In accordance with the law

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The Council is of the view that there is a compelling case in the public interest to ensure that current and future residents of the Estate are afforded sustainable homes which meet Decent Homes standards and the comprehensive regeneration of the Estate and the wider area will afford the Council the opportunity to do so. The Council, therefore, believes that it has struck a fair and proportionate balance between the interests of those whose Convention rights will be affected and the community as a whole.

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Oakleigh Rd South,
London N11 1NP

M Hendy
9 Tyrell Way
West Hendon
NW9 7QW

Contact: Anna Morell
Tel: 020 8359 2387
e-mail: anna.morell@barnet.gov.uk
Date: 8 September 2014
Our Ref: 8.18

Dear M Hendy

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

Re: Objection to the Compulsory Purchase Order

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 if this is possible. Once you have had an opportunity to consider the responses below, we would be very happy to arrange a meeting to discuss these concerns if you think this would be helpful.

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The Scheme proposes the construction of high quality sustainable homes built to Code for Sustainable Homes Level 4 energy and sustainability standards, comply with Lifetime Homes Standards, include wheelchair provision, and incorporate secure by Design Principles. All of which will represent a significant improvement to the overall quality of housing accommodation in the area. The development will also create a more attractive, vibrant and sustainable neighbourhood and a more balanced and inclusive community.

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Jemima Acheampong
34 Tyrell Way
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Contact: Anna Morell
Tel: 020 8359 2387
e-mail: anna.morell@barnet.gov.uk
Date: 8 September 2014
Our Ref: 8.19

Dear Jemima Acheampong

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West Hendon
NW9 7QW

Contact: Anna Morell
Tel: 020 8359 2387
e-mail: anna.morell@barnet.gov.uk
Date: 8 September 2014
Our Ref: 8.20

Dear S El-Giyar

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

Re: Objection to the Compulsory Purchase Order

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 if this is possible. Once you have had an opportunity to consider the responses below, we would be very happy to arrange a meeting to discuss these concerns if you think this would be helpful.

A. Existing dwellings are structurally sound and adequate. Proposed dwellings are plagued with problems

Response: The Estate properties are in a poor state of repair, provide sub-standard accommodation for residents and qualify as defective dwellings under the Housing Act 1985. Estimates undertaken by the Council suggest that upgrading the existing housing to Decent Homes Plus standards would require considerable investment and in any event, would still fail to address some of the inherent problems arising from the Estate as set out in the Statement of Reasons.

The Scheme proposes the construction of high quality sustainable homes built to Code for Sustainable Homes Level 4 energy and sustainability standards, comply with Lifetime Homes Standards, include wheelchair provision, and incorporate secure by Design Principles. All of which will represent a significant improvement to the overall quality of housing accommodation in the area. The development will also create a more attractive, vibrant and sustainable neighbourhood and a more balanced and inclusive community.

The existing low rise flats on the estate incorporate ramp access to all levels. Whilst the existing access will be maintained for any remaining occupied flats, these ramps fail to comply with modern design guidance. The Statement of Reasons describes the new accommodation, commenting that all residential units within the new

development have been designed in accordance with the London Housing Design Guide (LHDG) standards which outline minimum space standards for individual units, room sizes and amenity space provision. 10% of the overall residential unit provision has been designed to be wheelchair accessible or easily adaptable for wheelchair users, whilst all dwellings will comply with 'Lifetime Homes' standards.

Whilst there were some snagging works associated with the balconies on the new development, there are currently no problems or structural issues. As referred to in the Statement of Reasons, for over 30 years Barratt has been at the forefront of regeneration in London, building more than 27,000 homes. Barratt has a broad range of regeneration experience and is used to working collaboratively with partners from both the public and private sectors.

B. Displacement of local community/Lack of consultation (initial ballot) and breach of assurances made

Response: LBB initially sought feedback from local people on proposals by three developers before selecting a preferred partner. Following the selection of the preferred partner a test of opinion was taken which was referred to as a ballot. This exercise was non-statutory, being undertaken to determine the local opinion in regard to the principle of regeneration. Since the test of opinion was undertaken LBB and its development partners have undertaken further consultation including: residents meetings, exhibitions, newsletters and statutory consultation such as that undertaken during the planning process.

At the commencement of the project LBB 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. All secure tenants presently occupying the estate will be rehoused in the new properties delivered by the scheme in accordance with the original pledge. Likewise a shared equity scheme is also available to eligible long leaseholders to purchase a new property on the Estate.

C. Loss of York Memorial Park/No real open space arising from the development)

Response: York Park existed prior to 1939 ('York Park' is shown on the 1914 O.S map and the reference to the name 'York Park' appears in the 1930's O.S plan) and based on the information that the Council has considered there is no evidence to confirm that the park was created as a memorial to the Second World War. The 1951 and 1955 O.S. plans show that a hole left by a bomb fell to the north of York Park within an area which appears to be outside the Order Land, beneath Marsh Drive and the 3 bedroom houses adjoined to Marriotts Close.

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

D. 2005 Committee report and PDA

Response: In May 2003 it was reported to Cabinet that Lovell withdrew from the partnership with Metropolitan Housing. In 2005 members accepted the appointment of Barratt Homes Ltd

The original development programme was forecasted over a period of 12 years. To date, a total of 194 units have been delivered as part of the Pilot and Lakeside development. The Master Plan for the estate was recently revised to ensure the scheme remained financially viable to deliver. Planning permission for the revised scheme was obtained in November 2013 and in January 2014 the Council's development partner, BMLLP, started construction of phase 3a of the scheme which will deliver 71 affordable units. The Council is currently looking at a period of accelerated growth and how future phases can come forward to deliver the scheme earlier.

E. Access refused to PDA

Response: The PDA underpins the terms on which the Council and its development partners will deliver the regeneration of the West Hendon Estate and wider area and it contains commercially sensitive information relating to the financial or business affairs of the Council's development partners. Consequently, it is considered to be exempt information under Schedule 12A of the Local Government Act 1972.

F. Temporary tenants

Response: 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. Residents will be given as much notice as possible of when their tenancy is expected to be terminated.

G. Loss of light

Response: The Council notes the concern raised regarding the effect of the proposed development on the resident's right to light. In designing the scheme,

BMLLP and their professional team have had regard to this impact. The Council's Planning Committee when considering the planning application which was approved on 20 November 2013 fully took into account the impact of the scheme on the existing properties, including the impact on light and were satisfied that the impact on light to the retained properties has been minimised and is proportionate and reasonable in relation to the wider benefits of the proposed scheme

H. Community and Health facilities

Response: 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. 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, the Council's development partner, 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.

I. Inability to understand/Inaccuracies in Statement of Reasons

Response: The Statement of Reasons contains a list of people who can be contacted for clarification or explanation of the content of the document or any queries or issues relating to the CPO. CPO surgeries were also held on the estate where all partners attended so that residents could ask any questions that they had.

We are not aware of any inaccuracies in the Statement of Reasons.

J. Density/ Height of Tower Block

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. 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 the 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 height of blocks 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 iterative design process involved a range of stakeholders, and high quality of architectural quality was controlled through the parameters and design codes, it was considered that the scale and massing principles proposed for the development were acceptable. The scheme is considered to be of high quality in terms of urban design and is considered to be compliant with policies set out in the Local Plan and London Plan. An independent assessment of the tall buildings was commissioned by the applicant to provide a peer review of the development. Peter Stewart is a registered architect. (Ex-Director of the design review programme at CABI from 1999 to 2005), concluded:

“One of the successes of the design approach is that the four towers, while prominent and distinctive, are not treated as separate from this pattern but as part of it. The overall effect is of local variety and visual incident set within strongly controlled overall coherence”.

The Height of the towers was not considered to represent a significant risk to the environmental qualities of the Welsh Harp SSSI.

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Response: Section 9 of the Acquiring Authority’s Statement of Reasons explains that in making the Order the Council has had regard to Article 1 of the First Protocol of the Convention and Article 8 of the Convention, both of which permit the interference with the right to peaceful enjoyment of possessions and the right to respect for private and family life etc where that interference is in accordance with the law and is in the public interest.

In accordance with the law

The compulsory purchase process is governed by statute and the Council has made the Order under the relevant statutory provisions. If the Order is confirmed by the Secretary of State, those whose interests are compulsorily acquired will be entitled to statutory compensation payments.

Interference in the public interest

The residential homes in the West Hendon Estate qualify as defective dwellings under the Housing Act 1985 and do not meet Decent Homes Plus standards. As stated at paragraph 3.5 of the Statement of Reasons, refurbishing the Estate to Decent Homes Plus standards would require considerable financial investment and would still fail to address some of the inherent problems arising from the Estate.

The Council is of the view that there is a compelling case in the public interest to ensure that current and future residents of the Estate are afforded sustainable homes which meet Decent Homes standards and the comprehensive regeneration of the Estate and the wider area will afford the Council the opportunity to do so. The Council, therefore, believes that it has struck a fair and proportionate balance between the interests of those whose Convention rights will be affected and the community as a whole.

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
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Planning

&

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London Borough of Barnet
Building 4, North London Business Park
Oakleigh Rd South,
London N11 1NP

Alex Finnie
49 Franklin House
West Hendon
NW9

Contact: Anna Morell
Tel: 020 8359 2387
e-mail: anna.morell@barnet.gov.uk
Date: 8 September 2014
Our Ref: 8.21

Dear Alex Finnie

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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.

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Yours sincerely



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London Borough of Barnet
Building 4, North London Business Park
Oakleigh Rd South,
London N11 1NP

Hans Ekonje
47 Tyrell Way
West Hendon
London
NW9 7QW

Contact: Anna Morell
Tel: 020 8359 2387
e-mail: anna.morell@barnet.gov.uk
Date: 8 September 2014
Our Ref: 8.22

Dear Hans Ekonje

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The Height of the towers was not considered to represent a significant risk to the environmental qualities of the Welsh Harp SSSI.

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Response: Section 9 of the Acquiring Authority’s Statement of Reasons explains that in making the Order the Council has had regard to Article 1 of the First Protocol of the Convention and Article 8 of the Convention, both of which permit the interference with the right to peaceful enjoyment of possessions and the right to respect for private and family life etc where that interference is in accordance with the law and is in the public interest.

In accordance with the law

The compulsory purchase process is governed by statute and the Council has made the Order under the relevant statutory provisions. If the Order is confirmed by the Secretary of State, those whose interests are compulsorily acquired will be entitled to statutory compensation payments.

Interference in the public interest

The residential homes in the West Hendon Estate qualify as defective dwellings under the Housing Act 1985 and do not meet Decent Homes Plus standards. As stated at paragraph 3.5 of the Statement of Reasons, refurbishing the Estate to Decent Homes Plus standards would require considerable financial investment and would still fail to address some of the inherent problems arising from the Estate.

The Council is of the view that there is a compelling case in the public interest to ensure that current and future residents of the Estate are afforded sustainable homes which meet Decent Homes standards and the comprehensive regeneration of the Estate and the wider area will afford the Council the opportunity to do so. The Council, therefore, believes that it has struck a fair and proportionate balance between the interests of those whose Convention rights will be affected and the community as a whole.

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
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Barry Barnett
118 Marsh Drive
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NW9

Contact: Anna Morell
Tel: 020 8359 2387
e-mail: anna.morell@barnet.gov.uk
Date: 8 September 2014
Our Ref: 8.23

Dear Barry Barnett

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

Re: Objection to the Compulsory Purchase Order

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 if this is possible. Once you have had an opportunity to consider the responses below, we would be very happy to arrange a meeting to discuss these concerns if you think this would be helpful.

A. Existing dwellings are structurally sound and adequate. Proposed dwellings are plagued with problems

Response: The Estate properties are in a poor state of repair, provide sub-standard accommodation for residents and qualify as defective dwellings under the Housing Act 1985. Estimates undertaken by the Council suggest that upgrading the existing housing to Decent Homes Plus standards would require considerable investment and in any event, would still fail to address some of the inherent problems arising from the Estate as set out in the Statement of Reasons.

The Scheme proposes the construction of high quality sustainable homes built to Code for Sustainable Homes Level 4 energy and sustainability standards, comply with Lifetime Homes Standards, include wheelchair provision, and incorporate secure by Design Principles. All of which will represent a significant improvement to the overall quality of housing accommodation in the area. The development will also create a more attractive, vibrant and sustainable neighbourhood and a more balanced and inclusive community.

The existing low rise flats on the estate incorporate ramp access to all levels. Whilst the existing access will be maintained for any remaining occupied flats, these ramps fail to comply with modern design guidance. The Statement of Reasons describes the new accommodation, commenting that all residential units within the new

development have been designed in accordance with the London Housing Design Guide (LHDG) standards which outline minimum space standards for individual units, room sizes and amenity space provision. 10% of the overall residential unit provision has been designed to be wheelchair accessible or easily adaptable for wheelchair users, whilst all dwellings will comply with 'Lifetime Homes' standards.

Whilst there were some snagging works associated with the balconies on the new development, there are currently no problems or structural issues. As referred to in the Statement of Reasons, for over 30 years Barratt has been at the forefront of regeneration in London, building more than 27,000 homes. Barratt has a broad range of regeneration experience and is used to working collaboratively with partners from both the public and private sectors.

B. Displacement of local community/Lack of consultation (initial ballot) and breach of assurances made

Response: LBB initially sought feedback from local people on proposals by three developers before selecting a preferred partner. Following the selection of the preferred partner a test of opinion was taken which was referred to as a ballot. This exercise was non-statutory, being undertaken to determine the local opinion in regard to the principle of regeneration. Since the test of opinion was undertaken LBB and its development partners have undertaken further consultation including: residents meetings, exhibitions, newsletters and statutory consultation such as that undertaken during the planning process.

At the commencement of the project LBB 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. All secure tenants presently occupying the estate will be rehoused in the new properties delivered by the scheme in accordance with the original pledge. Likewise a shared equity scheme is also available to eligible long leaseholders to purchase a new property on the Estate.

C. Loss of York Memorial Park/No real open space arising from the development)

Response: York Park existed prior to 1939 ('York Park' is shown on the 1914 O.S map and the reference to the name 'York Park' appears in the 1930's O.S plan) and based on the information that the Council has considered there is no evidence to confirm that the park was created as a memorial to the Second World War. The 1951 and 1955 O.S. plans show that a hole left by a bomb fell to the north of York Park within an area which appears to be outside the Order Land, beneath Marsh Drive and the 3 bedroom houses adjoined to Marriotts Close.

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).

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D. 2005 Committee report and PDA

Response: In May 2003 it was reported to Cabinet that Lovell withdrew from the partnership with Metropolitan Housing. In 2005 members accepted the appointment of Barratt Homes Ltd

The original development programme was forecasted over a period of 12 years. To date, a total of 194 units have been delivered as part of the Pilot and Lakeside development. The Master Plan for the estate was recently revised to ensure the scheme remained financially viable to deliver. Planning permission for the revised scheme was obtained in November 2013 and in January 2014 the Council's development partner, BMLLP, started construction of phase 3a of the scheme which will deliver 71 affordable units. The Council is currently looking at a period of accelerated growth and how future phases can come forward to deliver the scheme earlier.

E. Access refused to PDA

Response: The PDA underpins the terms on which the Council and its development partners will deliver the regeneration of the West Hendon Estate and wider area and it contains commercially sensitive information relating to the financial or business affairs of the Council's development partners. Consequently, it is considered to be exempt information under Schedule 12A of the Local Government Act 1972.

F. Temporary tenants

Response: 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. Residents will be given as much notice as possible of when their tenancy is expected to be terminated.

G. Loss of light

Response: The Council notes the concern raised regarding the effect of the proposed development on the resident's right to light. In designing the scheme,

BMLLP and their professional team have had regard to this impact. The Council's Planning Committee when considering the planning application which was approved on 20 November 2013 fully took into account the impact of the scheme on the existing properties, including the impact on light and were satisfied that the impact on light to the retained properties has been minimised and is proportionate and reasonable in relation to the wider benefits of the proposed scheme

H. Community and Health facilities

Response: 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. 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, the Council's development partner, 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.

I. Inability to understand/Inaccuracies in Statement of Reasons

Response: The Statement of Reasons contains a list of people who can be contacted for clarification or explanation of the content of the document or any queries or issues relating to the CPO. CPO surgeries were also held on the estate where all partners attended so that residents could ask any questions that they had.

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- 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.
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Response: Section 9 of the Acquiring Authority’s Statement of Reasons explains that in making the Order the Council has had regard to Article 1 of the First Protocol of the Convention and Article 8 of the Convention, both of which permit the interference with the right to peaceful enjoyment of possessions and the right to respect for private and family life etc where that interference is in accordance with the law and is in the public interest.

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Yours sincerely



Martin Cowie
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Contact: Anna Morell
Tel: 020 8359 2387
e-mail: anna.morell@barnet.gov.uk
Date: 8 September 2014
Our Ref: 8.24

Dear Hodan Nur

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

Re: Objection to the Compulsory Purchase Order

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 if this is possible. Once you have had an opportunity to consider the responses below, we would be very happy to arrange a meeting to discuss these concerns if you think this would be helpful.

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Yours sincerely



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Epifania Byrne
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NW9 7QW

Contact: Anna Morell
Tel: 020 8359 2387
e-mail: anna.morell@barnet.gov.uk
Date: 8 September 2014
Our Ref: 8.25

Dear Epifania Byrne

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Re: Objection to the Compulsory Purchase Order

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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.

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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

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The Height of the towers was not considered to represent a significant risk to the environmental qualities of the Welsh Harp SSSI.

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Response: Section 9 of the Acquiring Authority’s Statement of Reasons explains that in making the Order the Council has had regard to Article 1 of the First Protocol of the Convention and Article 8 of the Convention, both of which permit the interference with the right to peaceful enjoyment of possessions and the right to respect for private and family life etc where that interference is in accordance with the law and is in the public interest.

In accordance with the law

The compulsory purchase process is governed by statute and the Council has made the Order under the relevant statutory provisions. If the Order is confirmed by the Secretary of State, those whose interests are compulsorily acquired will be entitled to statutory compensation payments.

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The residential homes in the West Hendon Estate qualify as defective dwellings under the Housing Act 1985 and do not meet Decent Homes Plus standards. As stated at paragraph 3.5 of the Statement of Reasons, refurbishing the Estate to Decent Homes Plus standards would require considerable financial investment and would still fail to address some of the inherent problems arising from the Estate.

The Council is of the view that there is a compelling case in the public interest to ensure that current and future residents of the Estate are afforded sustainable homes which meet Decent Homes standards and the comprehensive regeneration of the Estate and the wider area will afford the Council the opportunity to do so. The Council, therefore, believes that it has struck a fair and proportionate balance between the interests of those whose Convention rights will be affected and the community as a whole.

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
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London Borough of Barnet
Building 4, North London Business Park
Oakleigh Rd South,
London N11 1NP

Ruth Oviasu
7 Tyrell Way
West Hendon
London
NW9

Contact: Anna Morell
Tel: 020 8359 2387
e-mail: anna.morell@barnet.gov.uk
Date: 8 September 2014
Our Ref: 8.26

Dear Ruth Oviasu

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

Re: Objection to the Compulsory Purchase Order

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 if this is possible. Once you have had an opportunity to consider the responses below, we would be very happy to arrange a meeting to discuss these concerns if you think this would be helpful.

A. Existing dwellings are structurally sound and adequate. Proposed dwellings are plagued with problems

Response: The Estate properties are in a poor state of repair, provide sub-standard accommodation for residents and qualify as defective dwellings under the Housing Act 1985. Estimates undertaken by the Council suggest that upgrading the existing housing to Decent Homes Plus standards would require considerable investment and in any event, would still fail to address some of the inherent problems arising from the Estate as set out in the Statement of Reasons.

The Scheme proposes the construction of high quality sustainable homes built to Code for Sustainable Homes Level 4 energy and sustainability standards, comply with Lifetime Homes Standards, include wheelchair provision, and incorporate secure by Design Principles. All of which will represent a significant improvement to the overall quality of housing accommodation in the area. The development will also create a more attractive, vibrant and sustainable neighbourhood and a more balanced and inclusive community.

The existing low rise flats on the estate incorporate ramp access to all levels. Whilst the existing access will be maintained for any remaining occupied flats, these ramps fail to comply with modern design guidance. The Statement of Reasons describes the new accommodation, commenting that all residential units within the new

development have been designed in accordance with the London Housing Design Guide (LHDG) standards which outline minimum space standards for individual units, room sizes and amenity space provision. 10% of the overall residential unit provision has been designed to be wheelchair accessible or easily adaptable for wheelchair users, whilst all dwellings will comply with 'Lifetime Homes' standards.

Whilst there were some snagging works associated with the balconies on the new development, there are currently no problems or structural issues. As referred to in the Statement of Reasons, for over 30 years Barratt has been at the forefront of regeneration in London, building more than 27,000 homes. Barratt has a broad range of regeneration experience and is used to working collaboratively with partners from both the public and private sectors.

B. Displacement of local community/Lack of consultation (initial ballot) and breach of assurances made

Response: LBB initially sought feedback from local people on proposals by three developers before selecting a preferred partner. Following the selection of the preferred partner a test of opinion was taken which was referred to as a ballot. This exercise was non-statutory, being undertaken to determine the local opinion in regard to the principle of regeneration. Since the test of opinion was undertaken LBB and its development partners have undertaken further consultation including: residents meetings, exhibitions, newsletters and statutory consultation such as that undertaken during the planning process.

At the commencement of the project LBB 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. All secure tenants presently occupying the estate will be rehoused in the new properties delivered by the scheme in accordance with the original pledge. Likewise a shared equity scheme is also available to eligible long leaseholders to purchase a new property on the Estate.

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Response: York Park existed prior to 1939 ('York Park' is shown on the 1914 O.S map and the reference to the name 'York Park' appears in the 1930's O.S plan) and based on the information that the Council has considered there is no evidence to confirm that the park was created as a memorial to the Second World War. The 1951 and 1955 O.S. plans show that a hole left by a bomb fell to the north of York Park within an area which appears to be outside the Order Land, beneath Marsh Drive and the 3 bedroom houses adjoined to Marriotts Close.

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).

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Hina Azam
25 Tyrell Way
West Hendon
London
NW9 7QW

Contact: Anna Morell
Tel: 020 8359 2387
e-mail: anna.morell@barnet.gov.uk
Date: 8 September 2014
Our Ref: 8.27

Dear Hina Azam

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

Re: Objection to the Compulsory Purchase Order

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.

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Sajida Mahmood
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NW9 7QW

Contact: Anna Morell
Tel: 020 8359 2387
e-mail: anna.morell@barnet.gov.uk
Date: 8 September 2014
Our Ref: 8.28

Dear Sajida Mahmood

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Re: Objection to the Compulsory Purchase Order

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- 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

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In accordance with the law

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The Council is of the view that there is a compelling case in the public interest to ensure that current and future residents of the Estate are afforded sustainable homes which meet Decent Homes standards and the comprehensive regeneration of the Estate and the wider area will afford the Council the opportunity to do so. The Council, therefore, believes that it has struck a fair and proportionate balance between the interests of those whose Convention rights will be affected and the community as a whole.

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Yours sincerely



Martin Cowie
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Regeneration

London Borough of Barnet
Building 4, North London Business Park
Oakleigh Rd South,
London N11 1NP

Lilian Herrera Molina
28 Tyrell Way
West Hendon
London
NW9 7QW

Contact: Anna Morell
Tel: 020 8359 2387
e-mail: anna.morell@barnet.gov.uk
Date: 8 September 2014
Our Ref: 8.29

Dear Lilian Herrera Molina

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

Re: Objection to the Compulsory Purchase Order

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.

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The Scheme proposes the construction of high quality sustainable homes built to Code for Sustainable Homes Level 4 energy and sustainability standards, comply with Lifetime Homes Standards, include wheelchair provision, and incorporate secure by Design Principles. All of which will represent a significant improvement to the overall quality of housing accommodation in the area. The development will also create a more attractive, vibrant and sustainable neighbourhood and a more balanced and inclusive community.

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Adam Hendy
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West Hendon
London
NW9

Contact: Anna Morell
Tel: 020 8359 2387
e-mail: anna.morell@barnet.gov.uk
Date: 8 September 2014
Our Ref: 8.30

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Re: Objection to the Compulsory Purchase Order

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The compulsory purchase process is governed by statute and the Council has made the Order under the relevant statutory provisions. If the Order is confirmed by the Secretary of State, those whose interests are compulsorily acquired will be entitled to statutory compensation payments.

Interference in the public interest

The residential homes in the West Hendon Estate qualify as defective dwellings under the Housing Act 1985 and do not meet Decent Homes Plus standards. As stated at paragraph 3.5 of the Statement of Reasons, refurbishing the Estate to Decent Homes Plus standards would require considerable financial investment and would still fail to address some of the inherent problems arising from the Estate.

The Council is of the view that there is a compelling case in the public interest to ensure that current and future residents of the Estate are afforded sustainable homes which meet Decent Homes standards and the comprehensive regeneration of the Estate and the wider area will afford the Council the opportunity to do so. The Council, therefore, believes that it has struck a fair and proportionate balance between the interests of those whose Convention rights will be affected and the community as a whole.

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
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Building 4, North London Business Park
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Ben Samuel
32 Haslemere Avenue
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London
NW4 2PE

Contact: Anna Morell
Tel: 020 8359 2387
e-mail: anna.morell@barnet.gov.uk
Date: 8 September 2014
Our Ref: 8.31

Dear Ben Samuel

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

Re: Objection to the Compulsory Purchase Order

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 if this is possible. Once you have had an opportunity to consider the responses below, we would be very happy to arrange a meeting to discuss these concerns if you think this would be helpful.

A. Existing dwellings are structurally sound and adequate. Proposed dwellings are plagued with problems

Response: The Estate properties are in a poor state of repair, provide sub-standard accommodation for residents and qualify as defective dwellings under the Housing Act 1985. Estimates undertaken by the Council suggest that upgrading the existing housing to Decent Homes Plus standards would require considerable investment and in any event, would still fail to address some of the inherent problems arising from the Estate as set out in the Statement of Reasons.

The Scheme proposes the construction of high quality sustainable homes built to Code for Sustainable Homes Level 4 energy and sustainability standards, comply with Lifetime Homes Standards, include wheelchair provision, and incorporate secure by Design Principles. All of which will represent a significant improvement to the overall quality of housing accommodation in the area. The development will also create a more attractive, vibrant and sustainable neighbourhood and a more balanced and inclusive community.

The existing low rise flats on the estate incorporate ramp access to all levels. Whilst the existing access will be maintained for any remaining occupied flats, these ramps fail to comply with modern design guidance. The Statement of Reasons describes the new accommodation, commenting that all residential units within the new

development have been designed in accordance with the London Housing Design Guide (LHDG) standards which outline minimum space standards for individual units, room sizes and amenity space provision. 10% of the overall residential unit provision has been designed to be wheelchair accessible or easily adaptable for wheelchair users, whilst all dwellings will comply with 'Lifetime Homes' standards.

Whilst there were some snagging works associated with the balconies on the new development, there are currently no problems or structural issues. As referred to in the Statement of Reasons, for over 30 years Barratt has been at the forefront of regeneration in London, building more than 27,000 homes. Barratt has a broad range of regeneration experience and is used to working collaboratively with partners from both the public and private sectors.

B. Displacement of local community/Lack of consultation (initial ballot) and breach of assurances made

Response: LBB initially sought feedback from local people on proposals by three developers before selecting a preferred partner. Following the selection of the preferred partner a test of opinion was taken which was referred to as a ballot. This exercise was non-statutory, being undertaken to determine the local opinion in regard to the principle of regeneration. Since the test of opinion was undertaken LBB and its development partners have undertaken further consultation including: residents meetings, exhibitions, newsletters and statutory consultation such as that undertaken during the planning process.

At the commencement of the project LBB 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. All secure tenants presently occupying the estate will be rehoused in the new properties delivered by the scheme in accordance with the original pledge. Likewise a shared equity scheme is also available to eligible long leaseholders to purchase a new property on the Estate.

C. Loss of York Memorial Park/No real open space arising from the development)

Response: York Park existed prior to 1939 ('York Park' is shown on the 1914 O.S map and the reference to the name 'York Park' appears in the 1930's O.S plan) and based on the information that the Council has considered there is no evidence to confirm that the park was created as a memorial to the Second World War. The 1951 and 1955 O.S. plans show that a hole left by a bomb fell to the north of York Park within an area which appears to be outside the Order Land, beneath Marsh Drive and the 3 bedroom houses adjoined to Marriotts Close.

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).

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Response: The PDA underpins the terms on which the Council and its development partners will deliver the regeneration of the West Hendon Estate and wider area and it contains commercially sensitive information relating to the financial or business affairs of the Council's development partners. Consequently, it is considered to be exempt information under Schedule 12A of the Local Government Act 1972.

F. Temporary tenants

Response: 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. Residents will be given as much notice as possible of when their tenancy is expected to be terminated.

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BMLLP and their professional team have had regard to this impact. The Council's Planning Committee when considering the planning application which was approved on 20 November 2013 fully took into account the impact of the scheme on the existing properties, including the impact on light and were satisfied that the impact on light to the retained properties has been minimised and is proportionate and reasonable in relation to the wider benefits of the proposed scheme

H. Community and Health facilities

Response: 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. 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, the Council's development partner, BMLLP, will make appropriate contribution towards the provision of any additional local services required as a result of the new development.

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Response: The Statement of Reasons contains a list of people who can be contacted for clarification or explanation of the content of the document or any queries or issues relating to the CPO. CPO surgeries were also held on the estate where all partners attended so that residents could ask any questions that they had.

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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 the saved Barnet Unitary Development Plan policy C1a.

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- 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

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“One of the successes of the design approach is that the four towers, while prominent and distinctive, are not treated as separate from this pattern but as part of it. The overall effect is of local variety and visual incident set within strongly controlled overall coherence”.

The Height of the towers was not considered to represent a significant risk to the environmental qualities of the Welsh Harp SSSI.

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Response: Section 9 of the Acquiring Authority’s Statement of Reasons explains that in making the Order the Council has had regard to Article 1 of the First Protocol of the Convention and Article 8 of the Convention, both of which permit the interference with the right to peaceful enjoyment of possessions and the right to respect for private and family life etc where that interference is in accordance with the law and is in the public interest.

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Yours sincerely



Martin Cowie
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Yazmin Royes
65 Franklin House
West Hendon
NW9

Contact: Anna Morell
Tel: 020 8359 2387
e-mail: anna.morell@barnet.gov.uk
Date: 8 September 2014
Our Ref: 8.32

Dear Yazmin Royes

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

Re: Objection to the Compulsory Purchase Order

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 if this is possible. Once you have had an opportunity to consider the responses below, we would be very happy to arrange a meeting to discuss these concerns if you think this would be helpful.

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Megan Lee
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Contact: Anna Morell
Tel: 020 8359 2387
e-mail: anna.morell@barnet.gov.uk
Date: 8 September 2014
Our Ref: 8.33

Dear Megan Lee

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Re: Objection to the Compulsory Purchase Order

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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.

I. Inability to understand/Inaccuracies in Statement of Reasons

Response: The Statement of Reasons contains a list of people who can be contacted for clarification or explanation of the content of the document or any queries or issues relating to the CPO. CPO surgeries were also held on the estate where all partners attended so that residents could ask any questions that they had.

We are not aware of any inaccuracies in the Statement of Reasons.

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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. 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 the 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 height of blocks 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 iterative design process involved a range of stakeholders, and high quality of architectural quality was controlled through the parameters and design codes, it was considered that the scale and massing principles proposed for the development were acceptable. The scheme is considered to be of high quality in terms of urban design and is considered to be compliant with policies set out in the Local Plan and London Plan. An independent assessment of the tall buildings was commissioned by the applicant to provide a peer review of the development. Peter Stewart is a registered architect. (Ex-Director of the design review programme at CABI from 1999 to 2005), concluded:

“One of the successes of the design approach is that the four towers, while prominent and distinctive, are not treated as separate from this pattern but as part of it. The overall effect is of local variety and visual incident set within strongly controlled overall coherence”.

The Height of the towers was not considered to represent a significant risk to the environmental qualities of the Welsh Harp SSSI.

K. Human Rights

Response: Section 9 of the Acquiring Authority’s Statement of Reasons explains that in making the Order the Council has had regard to Article 1 of the First Protocol of the Convention and Article 8 of the Convention, both of which permit the interference with the right to peaceful enjoyment of possessions and the right to respect for private and family life etc where that interference is in accordance with the law and is in the public interest.

In accordance with the law

The compulsory purchase process is governed by statute and the Council has made the Order under the relevant statutory provisions. If the Order is confirmed by the Secretary of State, those whose interests are compulsorily acquired will be entitled to statutory compensation payments.

Interference in the public interest

The residential homes in the West Hendon Estate qualify as defective dwellings under the Housing Act 1985 and do not meet Decent Homes Plus standards. As stated at paragraph 3.5 of the Statement of Reasons, refurbishing the Estate to Decent Homes Plus standards would require considerable financial investment and would still fail to address some of the inherent problems arising from the Estate.

The Council is of the view that there is a compelling case in the public interest to ensure that current and future residents of the Estate are afforded sustainable homes which meet Decent Homes standards and the comprehensive regeneration of the Estate and the wider area will afford the Council the opportunity to do so. The Council, therefore, believes that it has struck a fair and proportionate balance between the interests of those whose Convention rights will be affected and the community as a whole.

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
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Building 4, North London Business Park
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London N11 1NP

Mohamed Tahani
58 Franklin House
West Hendon
NW9

Contact: Anna Morell
Tel: 020 8359 2387
e-mail: anna.morell@barnet.gov.uk
Date: 8 September 2014
Our Ref: 8.34

Dear Mohamed Tahani

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

Re: Objection to the Compulsory Purchase Order

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 if this is possible. Once you have had an opportunity to consider the responses below, we would be very happy to arrange a meeting to discuss these concerns if you think this would be helpful.

A. Existing dwellings are structurally sound and adequate. Proposed dwellings are plagued with problems

Response: The Estate properties are in a poor state of repair, provide sub-standard accommodation for residents and qualify as defective dwellings under the Housing Act 1985. Estimates undertaken by the Council suggest that upgrading the existing housing to Decent Homes Plus standards would require considerable investment and in any event, would still fail to address some of the inherent problems arising from the Estate as set out in the Statement of Reasons.

The Scheme proposes the construction of high quality sustainable homes built to Code for Sustainable Homes Level 4 energy and sustainability standards, comply with Lifetime Homes Standards, include wheelchair provision, and incorporate secure by Design Principles. All of which will represent a significant improvement to the overall quality of housing accommodation in the area. The development will also create a more attractive, vibrant and sustainable neighbourhood and a more balanced and inclusive community.

The existing low rise flats on the estate incorporate ramp access to all levels. Whilst the existing access will be maintained for any remaining occupied flats, these ramps fail to comply with modern design guidance. The Statement of Reasons describes the new accommodation, commenting that all residential units within the new

development have been designed in accordance with the London Housing Design Guide (LHDG) standards which outline minimum space standards for individual units, room sizes and amenity space provision. 10% of the overall residential unit provision has been designed to be wheelchair accessible or easily adaptable for wheelchair users, whilst all dwellings will comply with 'Lifetime Homes' standards.

Whilst there were some snagging works associated with the balconies on the new development, there are currently no problems or structural issues. As referred to in the Statement of Reasons, for over 30 years Barratt has been at the forefront of regeneration in London, building more than 27,000 homes. Barratt has a broad range of regeneration experience and is used to working collaboratively with partners from both the public and private sectors.

B. Displacement of local community/Lack of consultation (initial ballot) and breach of assurances made

Response: LBB initially sought feedback from local people on proposals by three developers before selecting a preferred partner. Following the selection of the preferred partner a test of opinion was taken which was referred to as a ballot. This exercise was non-statutory, being undertaken to determine the local opinion in regard to the principle of regeneration. Since the test of opinion was undertaken LBB and its development partners have undertaken further consultation including: residents meetings, exhibitions, newsletters and statutory consultation such as that undertaken during the planning process.

At the commencement of the project LBB 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. All secure tenants presently occupying the estate will be rehoused in the new properties delivered by the scheme in accordance with the original pledge. Likewise a shared equity scheme is also available to eligible long leaseholders to purchase a new property on the Estate.

C. Loss of York Memorial Park/No real open space arising from the development)

Response: York Park existed prior to 1939 ('York Park' is shown on the 1914 O.S map and the reference to the name 'York Park' appears in the 1930's O.S plan) and based on the information that the Council has considered there is no evidence to confirm that the park was created as a memorial to the Second World War. The 1951 and 1955 O.S. plans show that a hole left by a bomb fell to the north of York Park within an area which appears to be outside the Order Land, beneath Marsh Drive and the 3 bedroom houses adjoined to Marriotts Close.

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

D. 2005 Committee report and PDA

Response: In May 2003 it was reported to Cabinet that Lovell withdrew from the partnership with Metropolitan Housing. In 2005 members accepted the appointment of Barratt Homes Ltd

The original development programme was forecasted over a period of 12 years. To date, a total of 194 units have been delivered as part of the Pilot and Lakeside development. The Master Plan for the estate was recently revised to ensure the scheme remained financially viable to deliver. Planning permission for the revised scheme was obtained in November 2013 and in January 2014 the Council's development partner, BMLLP, started construction of phase 3a of the scheme which will deliver 71 affordable units. The Council is currently looking at a period of accelerated growth and how future phases can come forward to deliver the scheme earlier.

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Response: The PDA underpins the terms on which the Council and its development partners will deliver the regeneration of the West Hendon Estate and wider area and it contains commercially sensitive information relating to the financial or business affairs of the Council's development partners. Consequently, it is considered to be exempt information under Schedule 12A of the Local Government Act 1972.

F. Temporary tenants

Response: 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. Residents will be given as much notice as possible of when their tenancy is expected to be terminated.

G. Loss of light

Response: The Council notes the concern raised regarding the effect of the proposed development on the resident's right to light. In designing the scheme,

BMLLP and their professional team have had regard to this impact. The Council's Planning Committee when considering the planning application which was approved on 20 November 2013 fully took into account the impact of the scheme on the existing properties, including the impact on light and were satisfied that the impact on light to the retained properties has been minimised and is proportionate and reasonable in relation to the wider benefits of the proposed scheme

H. Community and Health facilities

Response: 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. 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, the Council's development partner, BMLLP, will make appropriate contribution towards the provision of any additional local services required as a result of the new development.

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Response: Section 9 of the Acquiring Authority’s Statement of Reasons explains that in making the Order the Council has had regard to Article 1 of the First Protocol of the Convention and Article 8 of the Convention, both of which permit the interference with the right to peaceful enjoyment of possessions and the right to respect for private and family life etc where that interference is in accordance with the law and is in the public interest.

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Yours sincerely



Martin Cowie
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London Borough of Barnet
Building 4, North London Business Park
Oakleigh Rd South,
London N11 1NP

Kimberley Ward
27 Franklin House
West Hendon
NW9

Contact: Anna Morell
Tel: 020 8359 2387
e-mail: anna.morell@barnet.gov.uk
Date: 8 September 2014
Our Ref: 8.35

Dear Kimberley Ward

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

Re: Objection to the Compulsory Purchase Order

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 if this is possible. Once you have had an opportunity to consider the responses below, we would be very happy to arrange a meeting to discuss these concerns if you think this would be helpful.

A. Existing dwellings are structurally sound and adequate. Proposed dwellings are plagued with problems

Response: The Estate properties are in a poor state of repair, provide sub-standard accommodation for residents and qualify as defective dwellings under the Housing Act 1985. Estimates undertaken by the Council suggest that upgrading the existing housing to Decent Homes Plus standards would require considerable investment and in any event, would still fail to address some of the inherent problems arising from the Estate as set out in the Statement of Reasons.

The Scheme proposes the construction of high quality sustainable homes built to Code for Sustainable Homes Level 4 energy and sustainability standards, comply with Lifetime Homes Standards, include wheelchair provision, and incorporate secure by Design Principles. All of which will represent a significant improvement to the overall quality of housing accommodation in the area. The development will also create a more attractive, vibrant and sustainable neighbourhood and a more balanced and inclusive community.

The existing low rise flats on the estate incorporate ramp access to all levels. Whilst the existing access will be maintained for any remaining occupied flats, these ramps fail to comply with modern design guidance. The Statement of Reasons describes the new accommodation, commenting that all residential units within the new

development have been designed in accordance with the London Housing Design Guide (LHDG) standards which outline minimum space standards for individual units, room sizes and amenity space provision. 10% of the overall residential unit provision has been designed to be wheelchair accessible or easily adaptable for wheelchair users, whilst all dwellings will comply with 'Lifetime Homes' standards.

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Yours sincerely



Martin Cowie
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Building 4, North London Business Park
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London N11 1NP

Shannon Bolley
43 Warner Close
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Contact: Anna Morell
Tel: 020 8359 2387
e-mail: anna.morell@barnet.gov.uk
Date: 8 September 2014
Our Ref: 8.36

Dear Shannon Bolley

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

Re: Objection to the Compulsory Purchase Order

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 if this is possible. Once you have had an opportunity to consider the responses below, we would be very happy to arrange a meeting to discuss these concerns if you think this would be helpful.

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Response: The Estate properties are in a poor state of repair, provide sub-standard accommodation for residents and qualify as defective dwellings under the Housing Act 1985. Estimates undertaken by the Council suggest that upgrading the existing housing to Decent Homes Plus standards would require considerable investment and in any event, would still fail to address some of the inherent problems arising from the Estate as set out in the Statement of Reasons.

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- 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

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In accordance with the law

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The Council is of the view that there is a compelling case in the public interest to ensure that current and future residents of the Estate are afforded sustainable homes which meet Decent Homes standards and the comprehensive regeneration of the Estate and the wider area will afford the Council the opportunity to do so. The Council, therefore, believes that it has struck a fair and proportionate balance between the interests of those whose Convention rights will be affected and the community as a whole.

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London Borough of Barnet
Building 4, North London Business Park
Oakleigh Rd South,
London N11 1NP

Tracy Bolley
99 Marsh Drive
West Hendon
NW9

Contact: Anna Morell
Tel: 020 8359 2387
e-mail: anna.morell@barnet.gov.uk
Date: 8 September 2014
Our Ref: 8.37

Dear Tracy Bolley

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

Re: Objection to the Compulsory Purchase Order

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 if this is possible. Once you have had an opportunity to consider the responses below, we would be very happy to arrange a meeting to discuss these concerns if you think this would be helpful.

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Response: The Estate properties are in a poor state of repair, provide sub-standard accommodation for residents and qualify as defective dwellings under the Housing Act 1985. Estimates undertaken by the Council suggest that upgrading the existing housing to Decent Homes Plus standards would require considerable investment and in any event, would still fail to address some of the inherent problems arising from the Estate as set out in the Statement of Reasons.

The Scheme proposes the construction of high quality sustainable homes built to Code for Sustainable Homes Level 4 energy and sustainability standards, comply with Lifetime Homes Standards, include wheelchair provision, and incorporate secure by Design Principles. All of which will represent a significant improvement to the overall quality of housing accommodation in the area. The development will also create a more attractive, vibrant and sustainable neighbourhood and a more balanced and inclusive community.

The existing low rise flats on the estate incorporate ramp access to all levels. Whilst the existing access will be maintained for any remaining occupied flats, these ramps fail to comply with modern design guidance. The Statement of Reasons describes the new accommodation, commenting that all residential units within the new

development have been designed in accordance with the London Housing Design Guide (LHDG) standards which outline minimum space standards for individual units, room sizes and amenity space provision. 10% of the overall residential unit provision has been designed to be wheelchair accessible or easily adaptable for wheelchair users, whilst all dwellings will comply with 'Lifetime Homes' standards.

Whilst there were some snagging works associated with the balconies on the new development, there are currently no problems or structural issues. As referred to in the Statement of Reasons, for over 30 years Barratt has been at the forefront of regeneration in London, building more than 27,000 homes. Barratt has a broad range of regeneration experience and is used to working collaboratively with partners from both the public and private sectors.

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Abrahima Bah
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Contact: Anna Morell
Tel: 020 8359 2387
e-mail: anna.morell@barnet.gov.uk
Date: 8 September 2014
Our Ref: 8.38

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NW9

Contact: Anna Morell
Tel: 020 8359 2387
e-mail: anna.morell@barnet.gov.uk
Date: 8 September 2014
Our Ref: 8.39

Dear M Kher

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

Re: Objection to the Compulsory Purchase Order

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 if this is possible. Once you have had an opportunity to consider the responses below, we would be very happy to arrange a meeting to discuss these concerns if you think this would be helpful.

A. Existing dwellings are structurally sound and adequate. Proposed dwellings are plagued with problems

Response: The Estate properties are in a poor state of repair, provide sub-standard accommodation for residents and qualify as defective dwellings under the Housing Act 1985. Estimates undertaken by the Council suggest that upgrading the existing housing to Decent Homes Plus standards would require considerable investment and in any event, would still fail to address some of the inherent problems arising from the Estate as set out in the Statement of Reasons.

The Scheme proposes the construction of high quality sustainable homes built to Code for Sustainable Homes Level 4 energy and sustainability standards, comply with Lifetime Homes Standards, include wheelchair provision, and incorporate secure by Design Principles. All of which will represent a significant improvement to the overall quality of housing accommodation in the area. The development will also create a more attractive, vibrant and sustainable neighbourhood and a more balanced and inclusive community.

The existing low rise flats on the estate incorporate ramp access to all levels. Whilst the existing access will be maintained for any remaining occupied flats, these ramps fail to comply with modern design guidance. The Statement of Reasons describes the new accommodation, commenting that all residential units within the new

development have been designed in accordance with the London Housing Design Guide (LHDG) standards which outline minimum space standards for individual units, room sizes and amenity space provision. 10% of the overall residential unit provision has been designed to be wheelchair accessible or easily adaptable for wheelchair users, whilst all dwellings will comply with 'Lifetime Homes' standards.

Whilst there were some snagging works associated with the balconies on the new development, there are currently no problems or structural issues. As referred to in the Statement of Reasons, for over 30 years Barratt has been at the forefront of regeneration in London, building more than 27,000 homes. Barratt has a broad range of regeneration experience and is used to working collaboratively with partners from both the public and private sectors.

B. Displacement of local community/Lack of consultation (initial ballot) and breach of assurances made

Response: LBB initially sought feedback from local people on proposals by three developers before selecting a preferred partner. Following the selection of the preferred partner a test of opinion was taken which was referred to as a ballot. This exercise was non-statutory, being undertaken to determine the local opinion in regard to the principle of regeneration. Since the test of opinion was undertaken LBB and its development partners have undertaken further consultation including: residents meetings, exhibitions, newsletters and statutory consultation such as that undertaken during the planning process.

At the commencement of the project LBB 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. All secure tenants presently occupying the estate will be rehoused in the new properties delivered by the scheme in accordance with the original pledge. Likewise a shared equity scheme is also available to eligible long leaseholders to purchase a new property on the Estate.

C. Loss of York Memorial Park/No real open space arising from the development)

Response: York Park existed prior to 1939 ('York Park' is shown on the 1914 O.S map and the reference to the name 'York Park' appears in the 1930's O.S plan) and based on the information that the Council has considered there is no evidence to confirm that the park was created as a memorial to the Second World War. The 1951 and 1955 O.S. plans show that a hole left by a bomb fell to the north of York Park within an area which appears to be outside the Order Land, beneath Marsh Drive and the 3 bedroom houses adjoined to Marriotts Close.

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

D. 2005 Committee report and PDA

Response: In May 2003 it was reported to Cabinet that Lovell withdrew from the partnership with Metropolitan Housing. In 2005 members accepted the appointment of Barratt Homes Ltd

The original development programme was forecasted over a period of 12 years. To date, a total of 194 units have been delivered as part of the Pilot and Lakeside development. The Master Plan for the estate was recently revised to ensure the scheme remained financially viable to deliver. Planning permission for the revised scheme was obtained in November 2013 and in January 2014 the Council's development partner, BMLLP, started construction of phase 3a of the scheme which will deliver 71 affordable units. The Council is currently looking at a period of accelerated growth and how future phases can come forward to deliver the scheme earlier.

E. Access refused to PDA

Response: The PDA underpins the terms on which the Council and its development partners will deliver the regeneration of the West Hendon Estate and wider area and it contains commercially sensitive information relating to the financial or business affairs of the Council's development partners. Consequently, it is considered to be exempt information under Schedule 12A of the Local Government Act 1972.

F. Temporary tenants

Response: 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. Residents will be given as much notice as possible of when their tenancy is expected to be terminated.

G. Loss of light

Response: The Council notes the concern raised regarding the effect of the proposed development on the resident's right to light. In designing the scheme,

BMLLP and their professional team have had regard to this impact. The Council's Planning Committee when considering the planning application which was approved on 20 November 2013 fully took into account the impact of the scheme on the existing properties, including the impact on light and were satisfied that the impact on light to the retained properties has been minimised and is proportionate and reasonable in relation to the wider benefits of the proposed scheme

H. Community and Health facilities

Response: 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. 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, the Council's development partner, 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.

I. Inability to understand/Inaccuracies in Statement of Reasons

Response: The Statement of Reasons contains a list of people who can be contacted for clarification or explanation of the content of the document or any queries or issues relating to the CPO. CPO surgeries were also held on the estate where all partners attended so that residents could ask any questions that they had.

We are not aware of any inaccuracies in the Statement of Reasons.

J. Density/ Height of Tower Block

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. 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 the 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 height of blocks 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 iterative design process involved a range of stakeholders, and high quality of architectural quality was controlled through the parameters and design codes, it was considered that the scale and massing principles proposed for the development were acceptable. The scheme is considered to be of high quality in terms of urban design and is considered to be compliant with policies set out in the Local Plan and London Plan. An independent assessment of the tall buildings was commissioned by the applicant to provide a peer review of the development. Peter Stewart is a registered architect. (Ex-Director of the design review programme at CABI from 1999 to 2005), concluded:

“One of the successes of the design approach is that the four towers, while prominent and distinctive, are not treated as separate from this pattern but as part of it. The overall effect is of local variety and visual incident set within strongly controlled overall coherence”.

The Height of the towers was not considered to represent a significant risk to the environmental qualities of the Welsh Harp SSSI.

K. Human Rights

Response: Section 9 of the Acquiring Authority’s Statement of Reasons explains that in making the Order the Council has had regard to Article 1 of the First Protocol of the Convention and Article 8 of the Convention, both of which permit the interference with the right to peaceful enjoyment of possessions and the right to respect for private and family life etc where that interference is in accordance with the law and is in the public interest.

In accordance with the law

The compulsory purchase process is governed by statute and the Council has made the Order under the relevant statutory provisions. If the Order is confirmed by the Secretary of State, those whose interests are compulsorily acquired will be entitled to statutory compensation payments.

Interference in the public interest

The residential homes in the West Hendon Estate qualify as defective dwellings under the Housing Act 1985 and do not meet Decent Homes Plus standards. As stated at paragraph 3.5 of the Statement of Reasons, refurbishing the Estate to Decent Homes Plus standards would require considerable financial investment and would still fail to address some of the inherent problems arising from the Estate.

The Council is of the view that there is a compelling case in the public interest to ensure that current and future residents of the Estate are afforded sustainable homes which meet Decent Homes standards and the comprehensive regeneration of the Estate and the wider area will afford the Council the opportunity to do so. The Council, therefore, believes that it has struck a fair and proportionate balance between the interests of those whose Convention rights will be affected and the community as a whole.

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
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London Borough of Barnet
Building 4, North London Business Park
Oakleigh Rd South,
London N11 1NP

Peggy Mateza
6 Franklin House
West Hendon
London
NW9

Contact: Anna Morell
Tel: 020 8359 2387
e-mail: anna.morell@barnet.gov.uk
Date: 8 September 2014
Our Ref: 8.40

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Martin Poulson
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NW9

Contact: Anna Morell
Tel: 020 8359 2387
e-mail: anna.morell@barnet.gov.uk
Date: 8 September 2014
Our Ref: 8.41

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The Council is of the view that there is a compelling case in the public interest to ensure that current and future residents of the Estate are afforded sustainable homes which meet Decent Homes standards and the comprehensive regeneration of the Estate and the wider area will afford the Council the opportunity to do so. The Council, therefore, believes that it has struck a fair and proportionate balance between the interests of those whose Convention rights will be affected and the community as a whole.

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



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Date: 8 September 2014
Our Ref: 8.42

Dear Ubath Abdinoor

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

Re: Objection to the Compulsory Purchase Order

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 if this is possible. Once you have had an opportunity to consider the responses below, we would be very happy to arrange a meeting to discuss these concerns if you think this would be helpful.

A. Existing dwellings are structurally sound and adequate. Proposed dwellings are plagued with problems

Response: The Estate properties are in a poor state of repair, provide sub-standard accommodation for residents and qualify as defective dwellings under the Housing Act 1985. Estimates undertaken by the Council suggest that upgrading the existing housing to Decent Homes Plus standards would require considerable investment and in any event, would still fail to address some of the inherent problems arising from the Estate as set out in the Statement of Reasons.

The Scheme proposes the construction of high quality sustainable homes built to Code for Sustainable Homes Level 4 energy and sustainability standards, comply with Lifetime Homes Standards, include wheelchair provision, and incorporate secure by Design Principles. All of which will represent a significant improvement to the overall quality of housing accommodation in the area. The development will also create a more attractive, vibrant and sustainable neighbourhood and a more balanced and inclusive community.

The existing low rise flats on the estate incorporate ramp access to all levels. Whilst the existing access will be maintained for any remaining occupied flats, these ramps fail to comply with modern design guidance. The Statement of Reasons describes the new accommodation, commenting that all residential units within the new

development have been designed in accordance with the London Housing Design Guide (LHDG) standards which outline minimum space standards for individual units, room sizes and amenity space provision. 10% of the overall residential unit provision has been designed to be wheelchair accessible or easily adaptable for wheelchair users, whilst all dwellings will comply with 'Lifetime Homes' standards.

Whilst there were some snagging works associated with the balconies on the new development, there are currently no problems or structural issues. As referred to in the Statement of Reasons, for over 30 years Barratt has been at the forefront of regeneration in London, building more than 27,000 homes. Barratt has a broad range of regeneration experience and is used to working collaboratively with partners from both the public and private sectors.

B. Displacement of local community/Lack of consultation (initial ballot) and breach of assurances made

Response: LBB initially sought feedback from local people on proposals by three developers before selecting a preferred partner. Following the selection of the preferred partner a test of opinion was taken which was referred to as a ballot. This exercise was non-statutory, being undertaken to determine the local opinion in regard to the principle of regeneration. Since the test of opinion was undertaken LBB and its development partners have undertaken further consultation including: residents meetings, exhibitions, newsletters and statutory consultation such as that undertaken during the planning process.

At the commencement of the project LBB 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. All secure tenants presently occupying the estate will be rehoused in the new properties delivered by the scheme in accordance with the original pledge. Likewise a shared equity scheme is also available to eligible long leaseholders to purchase a new property on the Estate.

C. Loss of York Memorial Park/No real open space arising from the development)

Response: York Park existed prior to 1939 ('York Park' is shown on the 1914 O.S map and the reference to the name 'York Park' appears in the 1930's O.S plan) and based on the information that the Council has considered there is no evidence to confirm that the park was created as a memorial to the Second World War. The 1951 and 1955 O.S. plans show that a hole left by a bomb fell to the north of York Park within an area which appears to be outside the Order Land, beneath Marsh Drive and the 3 bedroom houses adjoined to Marriotts Close.

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

D. 2005 Committee report and PDA

Response: In May 2003 it was reported to Cabinet that Lovell withdrew from the partnership with Metropolitan Housing. In 2005 members accepted the appointment of Barratt Homes Ltd

The original development programme was forecasted over a period of 12 years. To date, a total of 194 units have been delivered as part of the Pilot and Lakeside development. The Master Plan for the estate was recently revised to ensure the scheme remained financially viable to deliver. Planning permission for the revised scheme was obtained in November 2013 and in January 2014 the Council's development partner, BMLLP, started construction of phase 3a of the scheme which will deliver 71 affordable units. The Council is currently looking at a period of accelerated growth and how future phases can come forward to deliver the scheme earlier.

E. Access refused to PDA

Response: The PDA underpins the terms on which the Council and its development partners will deliver the regeneration of the West Hendon Estate and wider area and it contains commercially sensitive information relating to the financial or business affairs of the Council's development partners. Consequently, it is considered to be exempt information under Schedule 12A of the Local Government Act 1972.

F. Temporary tenants

Response: 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. Residents will be given as much notice as possible of when their tenancy is expected to be terminated.

G. Loss of light

Response: The Council notes the concern raised regarding the effect of the proposed development on the resident's right to light. In designing the scheme,

BMLLP and their professional team have had regard to this impact. The Council's Planning Committee when considering the planning application which was approved on 20 November 2013 fully took into account the impact of the scheme on the existing properties, including the impact on light and were satisfied that the impact on light to the retained properties has been minimised and is proportionate and reasonable in relation to the wider benefits of the proposed scheme

H. Community and Health facilities

Response: 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. 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, the Council's development partner, 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.

I. Inability to understand/Inaccuracies in Statement of Reasons

Response: The Statement of Reasons contains a list of people who can be contacted for clarification or explanation of the content of the document or any queries or issues relating to the CPO. CPO surgeries were also held on the estate where all partners attended so that residents could ask any questions that they had.

We are not aware of any inaccuracies in the Statement of Reasons.

J. Density/ Height of Tower Block

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. 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 the 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.
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