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# Written Statement

## Matter 10: Site Allocations (Site No.45)

Respondent Reference Number: ID067

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On behalf of Hill Residential and Trustees of the Gwyneth Cowing Will Trust and Trustees of the Gwyneth Cowing 1968 Settlement.

September 2022

## Introduction

1. This Written Statement (“Statement”) has been prepared by Savills (UK) Limited on behalf of Hill Residential Ltd and Trustees of the Gwyneth Cowing Will Trust and Trustees of the Gwyneth Cowing 1968 Settlement (“Hill & Trustees”) in the context of the Land adjoining the Whalebones, Wood Street, Barnet, EN5 4BZ (“the Site”). The Trustees own the Site. Hill have option on the Site.
2. This Statement should be read alongside our representations dated 9 August 2021 to the Reg.19 Local Plan.
3. This Statement sets out our responses to **Matter 10** and the Inspector’s eight (8) questions in relation to **Proposed Site Allocation No. 45** (hereafter referred to “Site Allocation No.45”).
4. In light of an Appeal Decision<sup>1</sup> regarding a previous application at the Site, the London Borough of Barnet (LBB) and Hill & Trustees have prepared an initial draft Statement of Common Ground (SoCG) in respect of Site Allocation No.45 which has been sent to the Council (it is intended to formally issue the SoCG ahead of the Hearing). In summary, the Inspector concluded residential development would be suitable in principle at this location (para 54). Whilst the appeal scheme’s benefits were clearly significant, collectively the Inspector did not consider these overcame the cumulative substantial weight he attached to the identified heritage harms in relation to that scheme (para 55).
5. Whilst any future redevelopment would be subject to a full and detailed planning application, a Concept Plan (**Appendix 1**) has been sketched to assist with an understanding of how the heritage harms associated with the appeal scheme identified by the Appeal Inspector could be addressed at a principle level. Heritage advice has also been sought from Heritage Consultant Paul Crisp of Smith Jenkins Planning & Heritage (**Appendix 2**) and summarised in this Statement herein.

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<sup>1</sup> EiP Ref: EB\_SDG\_04

## Detailed Responses

6. The Inspector states that the issue for Matter 10 is:

***“Whether the proposed allocation of sites in the Plan is positively prepared, justified, effective, consistent with national policy and in general conformity with the London Plan?”***

7. Our response for Site Allocation No. 45 is “yes”, for the reasons explained herein.

***Q1) “Are the proposed site allocations appropriate and justified in light of potential constraints, infrastructure requirements and adverse impacts?”***

8. Our response for Site Allocation No.45 is “yes”.

9. As it relates to potential constraints and impacts of future redevelopment of the Site, these have clearly been carefully considered. We note that under the *“site requirements and development guidelines”*, the sensitive character of Site Allocation No.45 has been acknowledged. This includes its location within in the Wood Street Conservation Area, proximity to other designated heritage assets and the surrounding suburban and historic character. This means that future proposals must pay great attention to how the design corresponds to the historical and local context, as well as other sensitivities, including tree retention and other natural features. Any impacts can be managed and mitigated through a sensitive heritage-led and landscape-led design through an appropriate quantum and design of built form along with new public open space, community facilities and residential uses.

10. The Site is currently an area of undeveloped private land with no public access. Indeed, according to Map 7 “Public open space deficiency” (p229), the Site is in an area which is deficient in public open space. Therefore, Site Allocation No. 45 would enable the delivery of new public open space and green infrastructure that could be planned, designed and managed in an integrated way to provide multiple social and environmental benefits to the surrounding community. It would therefore meet the objectives of sustainable development. Site Allocation No.45 is therefore appropriate and justified.

11. The Site is located in an urban area of London i.e. surrounded by existing infrastructure, including the amenities, services and transport links of Chipping Barnet Town Centre. Future sensitive redevelopment would also enable the delivery of significant public benefits, including new homes,

affordable homes and community facilities. Site Allocation No.45 is therefore appropriate and justified.

12. It is important to emphasise that the Appeal Decision accepted the principle of residential development. In paragraph 54 the inspector concluded that “[...] residential development would be suitable in principle in this location, in respect of its accessibility to regularly required services and good public transport connections”. The Inspector goes on to recognise that technical requirements relating to highways and utilities were met (paragraph 54). Therefore future redevelopment could also achieve this.
13. Overall, we consider that Site Allocation No.45 is appropriate and justified and its impacts adequately managed through sensitive design and redevelopment.

**Q2) “Is there any risk that any infrastructure requirements, site conditions and/or constraints might prevent or delay development or adversely affect viability and delivery?”**

14. No.
15. Given the nature and size of the Site and its urban location of its existing, wider infrastructure, a sensitive residential redevelopment could viably deliver the necessary infrastructure requirements. Indeed, the Appeal Decision acknowledged that all infrastructure requirements were met and that technical requirements relating to highways and utilities were also met for the previous application. In addition, the previous application also proposed a Barnet policy-compliant level of affordable housing i.e. 40% by unit.

**Q3) “Are the site allocation boundaries justified?”**

16. Our response for Site Allocation No.45 is “yes”.
17. The boundaries indicated are within the land ownership of the Trustees. Hill has an option with the Trustees over that land. Therefore future redevelopment within the boundaries will be deliverable, and is therefore justified.

**Q4) “Are the assumptions regarding the capacity of the sites in terms of density of development and net developable areas justified and what is this based on?”**

18. Site Allocation No.45 states an indicative residential capacity of 152 homes. The Proposed Modifications<sup>2</sup> proposes to remove the specific quantum of “90% residential with 10% local open space and community facilities” and instead say “Residential led development with local green space and community uses.”
19. Having regards to the Appeal Decision and the locations where it identifies harm, as noted above, a Concept Plan has been prepared to identify the potential developable areas and where harm can be reduced. Whilst it is acknowledged that it would be necessary that only a full and detailed planning application could formally assess this, it suggests that the quantum of the developable area and number of units is likely to be reduced to address the harm identified by the Inspector in relation to the appeal scheme. It is estimated that the indicative number of homes is likely to be the region of 100 to 120.
20. In their note (**Appendix 2**), Smith Jenkins Planning & Heritage has reviewed this Concept Plan (**Appendix 1**). The Appeal Inspector acknowledges the west part of the Site would always involve an element of change from open land to residential development, resulting in an element of harm. The approach of the Concept Plan considers ways to reduce, minimise and mitigate harm, summarised as follows:
- a) To the eastern part of the Site – a substantial reduction of built development by removing the clusters of houses close to the bus interchange. This retains the openness along Wellhouse Lane and allows the opportunity for a greater area to be used for new public open space. It also allows this part of the Site to be landscaped in order to maintain its parkland character, thus maintaining the contribution to the significance of the heritage assets;
  - b) To the western part of the Site – the reduction in scale of built development drawing back development from the Wood Street frontage and reductions in height adjoining Elmbank, with the majority of development contained within two residential development zones. It

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<sup>2</sup> Dated June 2022, No. MM368

responds to the Appeal Inspector's comments by introducing a significant buffer zone to the north (Wood Street) and low level dwellings (1 to 2 storeys). Any perceived impacts on the conservation area would be reduced, and the openness and visual relief along the streetscene would be maintained.

- c) To the southern part of the western parcel of Site – on the basis the Appeal Inspector identified this part to be less sensitive and more accommodating for change, opportunity for slightly taller elements of built development remain, responding to the opposite Barnet Hospital, part of the local built context.

- 21. Smith Jenkins Planning & Heritage conclude that the Concept Plan shows a clear and considered response to the matters raised by the Appeal Inspector and *“would reduce and limit any perception of harm to the significance of the grade II listed Whalebones and the character and appearance of the conservation area”*. In addition, the future public open space and community uses account for well over half of the Site (around 60%). This would further address public open space deficiencies in this locality.

***Q5) “What is the expected timescale for development in terms of lead in times and annual delivery rates, and are these assumptions realistic and supported by evidence?”***

- 22. The development of 0-5 years in Site Allocation No. 45 is realistic and is supported by evidence as explained below.
- 23. Hill is a recognised industry leading and experienced housebuilder, providing award-winning quality, distinctive new homes across London and the South East. As noted earlier, Hill have an option on the Site.
- 24. Allowing for a 12 month period for the pre-application and formal planning application determination stages, subject to planning permission being granted, Hill would expect to commence on site six months after a decision. That takes into account the agreement with the landowners (the Trustees), the need to discharge pre-commencement conditions and to secure any Community Infrastructure Levy reliefs. It is expected that a development would take approximately 2.5 years to build out in its entirety. It is expected that the first homes would be available for occupation 15 months after start on site. The delivery timetable has a very high degree of confidence.

**Q6) “Does the Plan sufficiently make clear the infrastructure requirements for each of the allocated sites, together with the timing of and dependencies upon such infrastructure for their delivery?”**

25. Other than typical technical requirements relating to highways and utilities (which the Inspector acknowledged were met in the previous application<sup>3</sup>), all other infrastructure requirements can be met through a Section 106 Legal Agreement and Community Infrastructure Levy as part of a planning application.

**Q7) “Are the proposed allocations and the associated development requirements and principles identified in Annex 1 of the Plan - justified, effective, consistent with national policy and in general conformity with the London Plan?”**

26. Our response for Site Allocation No.45 is “yes”.

27. We also note that the Greater London Authority’s (GLA) Reg 19 representations that they have no objection to Site Allocation No.45.

**Q8) “Are any further modifications required to ensure that the relevant policies for each site and/or their development requirements identified in Annex 1 are accurate and sound?”**

28. Our response for Site Allocation No.45 is “yes” and we would respectfully request the following further modifications for the reasons explained below:

- a) All references to “Whalebones Park” (p290, p353-4) should be omitted and replaced with “Land adjoining The Whalebones”. This will ensure it is accurate. The land in question does not form part of a “Park”. Land within the grounds of Whalebones House (which is in separate ownership) may form part of a park associated with the House, but that is not part of the proposed allocation.
- b) The Site’s size area on p353 states 2.20 hectares. However, this should be updated to read 4.37 hectares. This would ensure it is accurate.

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<sup>3</sup> Appeal Decision para 54

- c) The indicative residential capacity of 152 units (p354) contradicts Table 4 'List of Sites – Summary Table' (p290) which states 149. Having regards to the earlier comments above, we would suggest that both references be updated to “in the region of 100-120 homes”. This would ensure that it is sound.
- d) As part of the proposed uses/allocation of Site Allocation No.45, the reference to “*local greenspace*” on p290 should be amended to “*local open space*” and in 10.19.1 “*Park which will be designated in accordance with NPPF para 99*” should be deleted. A separate Statement has been submitted in respect of **Matter 9**. There is no basis nor evidence to support the future designation as Local Green Space.

## Conclusion

- 30. For the reasons explained above, and subject to the further suggested modifications, we consider that the proposed Site Allocation No.45 in the Plan is positively prepared, justified, effective and consistent with national policy and in general conformity with the London Plan.
- 31. Site Allocation No. 45 has significant potential to deliver sensitive redevelopment through a heritage-led and landscape-led design. Furthermore the Appeal Decision supports the principle of residential development at this location. The Concept Plan demonstrates how the harms can be overcome and enable the delivery of new homes, community facilities and new public open space located in an urban and sustainable location within London would be consistent with the aims of achieving sustainable development, in accordance with the NPPF.
- 32. We fully support proposed Site Allocation No.45.

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## Appendix 1: Concept Plan

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-  Emergency vehicle, pedestrian & cycle access
-  Vehicle, pedestrian & cycle access
-  Pedestrian & cycle access

**Zone 1:**  
Open space and Community areas (all areas outside zones 2-5)

**Zone 2:**  
Predominantly 2 storey residential housing with occasional three storey elements.

**Zone 3:**  
Residential zone, potential for taller elements at three - four storey

**Zone 4:**  
Existing agricultural buildings & courtyard residential zone

**Zone 5:**  
Existing stable block - reassociated with Whalebones House or converted to single dwelling



Client:  
Hill Residential Limited  
The Courtyard, Abbey Barns,  
Ickleton, CB10 1SX

Project:  
Whalebones, Chipping Barnet  
Barnet, London  
EN5 4DA

Drawing:  
Concept Plan

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|--------------------|--------------------------------|
| Scale:<br>1:750@A1 | Date:<br>August 2022           |
| Drawn By:<br>BB    | Checked By:<br>PDP             |
| CAD Ref:           | Drawing No:<br>000-CONCEPT-001 |
|                    | Rev. No:                       |

**PRELIMINARY**



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**Appendix 2: Note prepared by Smith Jenkins Planning & Heritage**

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## Whalebones, Barnet, London

### Concept Plan Review

September 2022

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1. This note has been prepared by Smith Jenkins Planning & Heritage to review the proposed concept plan for the Whalebones site. The concept plan has been prepared in response to the refused appeal proposals (Appeal Reference: APP/N5090/W/21/3273189) and to inform the Regulation 19 Local Plan to be heard at Examination in Public.
2. By way of background, Smith Jenkins were engaged by Hill Residential following the appeal decision to review and inform the way forward for the site. We have therefore visited the site and have full awareness of the policy background and the site sensitivities.
3. The Appeal Inspector identified that the change in character of the land to west of Whalebones would always involve an element of change – from open land to a residential development – which would cause an element of harm [paragraph 18 of the Appeal Decision]. The approach to the concept plan therefore has been to consider ways to reduce and minimise any harm to the significance of the listed building and the character and appearance of the conservation area. To minimise and mitigate any harm.
4. The concept plan makes a substantive reduction in built development on the site, through the removal of development to the east of the grade II listed Whalebones, allowing this area to be used as public open space. These areas will be landscaped in a manner that will maintain its parkland appearance and maintain the contribution that it makes to the significance of the listed building and conservation area. This also avoids this area becoming a very formal, manicured open land.
5. To the west of Whalebones, development has been reduced in scale and two zones have been identified for residential development. Responding to comments made by the Appeal Inspector [paragraphs 17, 18 and 20], a significant buffer zone has been introduced to Wood Street to ensure that a large green space is maintained on this frontage. Further, the dwellings at the northern edge of zone 2 are intended to be a maximum of two storey houses which will further lessen any perceived impact on the conservation area. This is a direct and considered response to the Appeal Inspector and, as a result, the proposed concept plan demonstrates how openness and visual relief in the streetscene can be maintained.
6. Turning to the southern part of the site, zone 3, the masterplan indicates potential for a slightly taller scale of development on this part of the site as this area, as the Inspector noted, has a reduced sensitivity and is more accommodating of change [paragraph 23]. This height responds to the local built context which includes Barnet Hospital.
7. At this stage, the concept plan shows a clear and considered response to the matters raised by the Appeal Inspector and would reduce and limit any perception of harm to the significance of the grade II listed Whalebones and the character and appearance of the conservation area. The area devoted to open space and community uses increases to 60% of the site in an area of deficit in open space.

**Paul Crisp**

**Director, Heritage & Townscape**

**For, and on behalf of, Smith Jenkins Planning & Heritage**

**1<sup>st</sup> September 2022**